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INVESTIGATION OF THE UNAUTHORIZED USE OF
UNITED STATES PASSPORTS—PART 3

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
SECOND SESSION

JUNE 12 AND 13, 1956

Printed for the use of the Committee on Un-American Activities

(INDEX IN PART 4 OF THIS SERIES)



COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

- * * * * *
- (q) (1) Committee on Un-American Activities.
(A) Un-American Activities.
(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

▼

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress : the following standing committees :

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make, from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 3

TUESDAY, JUNE 12, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.
PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities convened, pursuant to notice, at 10 a. m., in the caucus room of the Old House Office Building, Hon. Francis E. Walter (Chairman) presiding.

Committee members present: Representatives Francis E. Walter of Pennsylvania, Clyde Doyle of California, Bernard W. Kearney of New York, and Gordon H. Scherer of Ohio.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

This morning the committee resumes its series of hearings on the vital issue of the use of American passports as travel documents in furtherance of the objectives of the Communist conspiracy.

During recent hearings on this subject, it was revealed that Communists, those under Communist discipline, and those used by Communists, had developed a pattern of procuring American passports by representing that they were going to travel for business or pleasure to certain of the countries of the free world and then, upon arriving at those countries, they used devious methods of circumventing the travel restrictions so that they could attend Communist-sponsored conferences and other propaganda efforts in the Iron Curtain countries.

One of the important facts which the student of the Communist conspiracy recognizes is that Communists not only create front organizations to carry on their nefarious work, but also use people who, though not actually Communist Party members, are nevertheless witting or unwitting servants of the Communist cause. Actual technical membership in the Communist Party is not, therefore, the sole criterion to be used in undertaking to ascertain whether or not a particular individual's activities are in fact contributing to the Communist menace.

Should the Government of the United States in the exercise of its sovereign power refuse to issue passports to United States citizens who propose to use those passports as tickets of admission to conferences established as propaganda efforts of the Kremlin?

Should our Government require the revelation of the specific itinerary of each citizen who proposes to travel behind the Iron Curtain?

Where should the balance be struck between the promotion of international travel and the security risk of couriers, propagandists, and saboteurs?

These and other questions deserve our best efforts and must be resolved in the light of the realisms of today. It is in this spirit of dead earnestness that the committee is pursuing this investigation and study.

Call your first witness, Mr. Arens.

Mr. ARENS. Paul Robeson, will you please come forward? Will you remain standing, please, while the chairman administers an oath to you.

The CHAIRMAN. Will you raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. ROBESON. I do.

Mr. ARENS. Have a seat, if you please.

TESTIMONY OF PAUL ROBESON, ACCOMPANIED BY COUNSEL, MILTON H. FRIEDMAN

Mr. ARENS. Please identify yourself by name, residence and occupation.

Mr. ROBESON. My name is Paul Robeson. I live at 16 Jumel Terrace, New York City, and I am an actor and singer by occupation, and law on the side now and then.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ROBESON. Just a minute. Do I have the privilege of asking whom I am addressing and who is addressing me?

Mr. ARENS. I am Richard Arens.

Mr. ROBESON. What is your position?

Mr. ARENS. I am director of the staff.

Mr. ROBESON. I see.

Mr. ARENS. Of the Committee on Un-American Activities. Are you appearing today in response to a subpoena served upon you by this committee?

Mr. ROBESON. Oh, yes.

Mr. ARENS. And you are represented by counsel?

Mr. ROBESON. I am.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. FRIEDMAN. Milton H. Friedman, 342 Madison Avenue, New York.

Mr. ARENS. The subpoena which requires your presence here today contains a provision commanding you to produce certain documents, including all the United States passports issued to you for travel outside the continental limits of the United States. Do you have those documents?

Mr. ROBESON. No. There are several in existence, but I have moved several times in the last year, and I just moved recently to Jumel Terrace and I could not put my hands on them. They probably could

be produced. And I also lived in Connecticut and we have got a lot of stuff still packed, and if they are unpacked I will be glad to send them to you.

Mr. SCHERER. When was the subpoena served on you, Mr. Robeson?

Mr. ROBESON. I have forgotten. It was about a couple of weeks ago, and it was served at my house not long ago.

Mr. SCHERER. A couple of weeks ago?

Mr. ROBESON. 10 days ago.

The CHAIRMAN. What is the date of the return?

Mr. ARENS. May 22, 1956.

Mr. SCHERER. Did you look for the documents?

Mr. ROBESON. I have looked a good deal and Mrs. Robeson who has charge of all of this has looked and we have not been able to put our hands upon them. There is no reason not to produce them, certainly, if I could find them.

Mr. ARENS. Did you file a passport application on July 2, 1954?

Mr. ROBESON. I have filed several, and I have filed so many—I have filed about 25 in the last few months.

Mr. ARENS. I lay before you a photostatic copy of a passport application bearing a signature, Paul Robeson, and ask you if that is a true and correct reproduction of the passport application which you filed on July 2, 1954.

Mr. ROBESON. An application in 1954? Yes, it is. It is just one of them, where I was going to England, Israel, and France and Scandinavian countries.

Mr. ARENS. Is this your application?

Mr. ROBESON. That is true.

Mr. ARENS. I respectfully suggest, Mr. Chairman, this document be incorporated by reference in this record marked as "Robeson Exhibit No. 1" and filed in the files of the committee.

The CHAIRMAN. It will be so incorporated.

Mr. ROBESON. My counsel suggests it may not be completed.

Mr. FRIEDMAN. May I make a statement, please, Mr. Arens, too and to the committee?

The CHAIRMAN. Counsel is permitted to accompany his client for the purpose of advising his client and not for the purpose of making statements.

Mr. FRIEDMAN. I am familiar with the rules, that is why I asked your permission.

May I make this statement to you, sir? I wish to make a protest against questioning Mr. Robeson with respect to his passport application, in view of the fact that there is litigation now pending concerning his passport application and Mr. Robeson's right to a passport. The litigation was tried in district court and it was the subject of a decision in the court of appeals in the circuit last week. There may be further hearings in the State Department and there may be a further appeal.

The CHAIRMAN. The litigation is pending at the moment?

Mr. FRIEDMAN. It is still pending.

The CHAIRMAN. Was an application made for certiorari?

Mr. FRIEDMAN. No, the time has not yet elapsed for an application for certiorari but there may possibly be. I am not his counsel in that case, and I am not speaking for counsel, but there may be a hearing somewhere with respect to this matter.

The CHAIRMAN. That is too nebulous.

Mr. FRIEDMAN. The procedure now calls for it and it is not nebulous.

Mr. ARENS. Now, during the course of the process in which you were applying for this passport, in July of 1954, were you requested to submit a non-Communist affidavit?

Mr. ROBESON. We had a long discussion with my counsel who is in the room, Mr. Boudin, with the State Department, about just such an affidavit and I was very precise not only in the application but with the State Department headed by Mr. Henderson and Mr. McLeod, that under no conditions would I think of signing any such affidavit, that it is a complete contradiction of the rights of American citizens. It is my own feeling that when this gets to the Supreme Court, that it is unthinkable that now this has been applied to any American who wants a passport.

Mr. ARENS. Did you comply with the requests?

Mr. ROBESON. I certainly did not and I will not. That is perfectly clear.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. ROBESON. Oh please, please, please.

Mr. SCHERER. Please answer, will you, Mr. Robeson?

Mr. ROBESON. What is the Communist Party? What do you mean by that?

Mr. SCHERER. I ask that you direct the witness to answer the question.

Mr. ROBESON. What do you mean by the Communist Party? As far as I know it is a legal party like the Republican Party and the Democratic Party. Do you mean—which, belonging to a party of Communists or belonging to a party of people who have sacrificed for my people and for all Americans and workers, that they can live in dignity? Do you mean that party?

Mr. ARENS. Are you now a member of the Communist Party?

Mr. ROBESON. Would you like to come to the ballot box when I vote and take out the ballot and see?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

(The witness consulted with his counsel.)

Mr. ROBESON. I stand upon the fifth amendment.

Mr. SCHERER. I did not hear the answer.

Mr. ROBESON. I stand upon the fifth amendment of the American Constitution.

Mr. ARENS. Do you mean you invoke the fifth amendment?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you are presently—

Mr. ROBESON. I have no desire to consider anything. I invoke the fifth amendment and it is none of your business what I would like to do, and I invoke the fifth amendment. And forget it.

The CHAIRMAN. You are directed to answer that question.

Mr. ROBESON. I invoke the fifth amendment and so I am not answering. I am answering it, am I not?

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question as to whether or not he honestly ap-

prehends, that if he gave us a truthful answer to this last principal question, he would be supplying information which might be used against him in a criminal proceeding.

(The witness consulted with his counsel.)

The CHAIRMAN. You are directed to answer that question, Mr. Robeson.

Mr. ROBESON. Gentlemen, in the first place, wherever I have been in the world, and I have been in many places, Scandinavia, England, and many places, the first to die in the struggle against fascism were the Communists and I laid many wreaths upon graves of Communists. It is not criminal and the fifth amendment has nothing to do with criminality. The Chief Justice of the Supreme Court, Warren, has been very clear on that in many speeches that the fifth amendment does not have anything to do with the inference of criminality. I invoke the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer this last outstanding question.

The CHAIRMAN. He has been directed to answer it and he has invoked the fifth amendment and refused to answer.

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Have you ever been known under the name of "John Thomas"?

Mr. ROBESON. Oh, please, does somebody here want—are you suggesting—do you want me to be put up for perjury some place, "John Thomas." My name is Paul Robeson, and anything I have to say or stand for I have said in public all over the world, and that is why I am here today.

Mr. SCHERER. I ask that you direct the witness to answer the question. He is making a speech.

Mr. FRIEDMAN. Excuse me, Mr. Arens, may we have the photographers take their pictures, and then desist, because it is rather nerve-racking for them to be there.

The CHAIRMAN. They will take the pictures.

Mr. ROBESON. I will see you later, and I accept my counsel's attention. I am used to it and I have been in moving pictures. Do you want me to pose for it good? Do you want me to smile? I cannot smile when I am talking to him.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that your Communist Party name was "John Thomas."

Mr. ROBESON. I invoke the fifth amendment. This is really ridiculous.

Mr. ARENS. Now, tell this committee whether or not you know Nathan Gregory Silvermaster.

Mr. SCHERER. Mr. Chairman, this is not a laughing matter.

Mr. ROBESON. It is a laughing matter to me, this is really complete nonsense.

The CHAIRMAN. It will be for a while.

Mr. ROBESON. It will be and it should be for you. It should be for you all.

Mr. ARENS. Will you please tell—

Mr. ROBESON. This whole committee.

Mr. ARENS. Will you please tell us whether or not you know Nathan Gregory Silvermaster.

(The witness consulted with his counsel.)

Mr. ROBESON. No; I do not.

Mr. ARENS. Have you ever known Nathan Gregory Silvermaster? (The witness consulted with his counsel.)

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Do you honestly apprehend, that if you told this committee whether or not you know Nathan Gregory Silvermaster, you would be supplying information that could be used against you in a criminal proceeding?

Mr. ROBESON. I have not the slightest idea what you are talking about. I invoke the fifth—

Mr. ARENS. I suggest, Mr. Chairman, this record show that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question of whether or not you have ever known Nathan Gregory Silvermaster.

Mr. ROBESON. In answer to that question I invoke the fifth.

Mr. SCHIERER. The witness talks very loud when he makes a speech, but when he invokes the fifth amendment I cannot hear him.

Mr. ROBESON. I invoked the fifth amendment very loudly. You know I am an actor, and I have medals for my voice, for diction.

Mr. SCHIERER. Will you talk a little louder?

Mr. ROBESON. I can talk plenty loud, yes, I am noted for my diction in the theater.

Mr. ARENS. Do you know a woman by the name of Louise Bransten? (The witness consulted with his counsel.)

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. You attended a meeting in the home of Louise Bransten, in 1945, in San Francisco, did you not?

(The witness consulted with his counsel.)

Mr. ARENS. Do you have a recollection of that little session?

Mr. ROBESON. I invoke the fifth.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that on February 23, 1945, you attended a meeting in the home of Louise Bransten, at which were present Max Yergan, Frederick Thompson, David Jenkins, Nancy Pittman, Dr. Lena Halpern, and Larry Fanning?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Do you know any of those individuals whose names I have just recited?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Who are Mr. and Mrs. Vladimir P. Mikheev? Do you know them?

Mr. ROBESON. I have not the slightest idea but I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, the witness does not have the slightest idea who they are, and I respectfully suggest he be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. ROBESON. I answer the question by invoking the fifth amendment.

Mr. ARENS. Have you ever had contact with a man by the name of Gregory Kheifits?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Now, Gregory Kheifets is identified with the Soviet espionage operations, is he not?

Mr. ROBESON. Oh, gentlemen, I thought I was here about some passports.

Mr. ARENS. We will get into that in just a few moments.

Mr. ROBESON. This is complete nonsense.

Mr. ARENS. Tell us whether or not you have had contact and operations with Gregory Kheifets.

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Who is Victor Murra—that is John Victor Murra?

Mr. ROBESON. I invoke the fifth amendment. Your questioning leaves me completely—I invoke the fifth amendment.

Mr. ARENS. Leon Josephson?

Mr. FRIEDMAN. I do not think that he heard that question.

Mr. ARENS. Leon Josephson.

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Do you know a Manning Johnson?

Mr. ROBESON. Manning Johnson, I only have read in the papers that he said that Dr. Ralph Bunche was some kind of fellow, and he was dismissed from the FBI. He must be a pretty low character when he could be dismissed from that.

Mr. SCHERER. Whether he is a low character or not, do you know him?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. I would like to read you now some testimony under oath before this committee, of Manning Johnson:

Question. In your vast experience in the Communist Party, did you have occasion to meet Paul Robeson?

This is under date of July 14, 1949:

Mr. JOHNSON. Yes, I have met Paul Robeson a number of times in the headquarters of the National Committee of the Communist Party, going to and coming from conferences with Earl Browder, Jack Stachel, and J. Peters. During the time I was a member of the Communist Party Paul Robeson was a member of the Communist Party. Paul Robeson, to my knowledge, has been a member of the Communist Party for many years. In the Negro Commission of the National Committee of the Communist Party, we were told under threat of expulsion never to reveal that Paul Robeson was a member of the Communist Party because Paul Robeson's assignment was highly confidential and secret. For that reason he was not permitted to attend meetings of the National Committee of the Communist Party.

Mr. ROBESON. Could I protest this meeting, this reading of this? If you want Mr. Manning Johnson here for cross-examination, O. K.

Mr. ARENS. You tell us whether or not Manning Johnson was lying or whether he was telling the truth when he said that when he was a member of the Communist conspiracy he knew you as part and parcel of that conspiracy.

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Have you ever been chairman of the Council on African Affairs?

(The witness consulted with his counsel.)

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. I lay before you now a document marked "Robeson Exhibit No. 2" for identification purposes only in this record, entitled, "For Freedom and Peace, Address by Paul Robeson, at Welcome Home Rally, in New York, June 19, 1949," with a photograph on it.

Mr. ROBESON. I have a copy myself.

Mr. ARENS. If you would look on the back of that pamphlet you will see, Paul Robeson, Chairman of the Council on African Affairs. Tell us whether or not you are the Paul Robeson alluded to in this document, a copy of which you brought with you.

Mr. ROBESON. I would be the Paul Robeson.

Mr. ARENS. Then you are or have been chairman of the Council on African Affairs.

Mr. ROBESON. I would invoke the fifth amendment.

Mr. ARENS. Do you know Max Yergan?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Max Yergan took an oath before this committee, and testified to tell the truth.

Mr. ROBESON. Why do you not have these people here to be cross-examined, and is this, Mr. Chairman—

Mr. ARENS. Under oath, this man—

Mr. ROBESON. Could I ask whether this is legal.

The CHAIRMAN. This is legal. This is not only legal, but usual. By a unanimous vote this committee has been instructed to perform this very distasteful task.

Mr. ROBESON. It is not distasteful. To whom am I talking to?

The CHAIRMAN. You are speaking to the chairman of this committee.

Mr. ROBESON. Mr. Walter?

The CHAIRMAN. Yes.

Mr. ROBESON. The Pennsylvania Walter?

The CHAIRMAN. That is right.

Mr. ROBESON. Representative of the steelworkers?

The CHAIRMAN. That is right.

Mr. ROBESON. Of the coal mining workers and not United States Steel, by any chance? A great patriot.

The CHAIRMAN. That is right.

Mr. ROBESON. You are the author of all of the bills that are going to keep all kinds of decent people out of the country.

The CHAIRMAN. No, only your kind.

Mr. ROBESON. Colored people like myself, from the West Indies and all kinds, and just the Teutonic Anglo-Saxon stock that you would let come in.

The CHAIRMAN. We are trying to make it easier to get rid of your kind, too.

Mr. ROBESON. You do not want any colored people to come in?

The CHAIRMAN. Proceed.

Mr. ARENS. Under date of December 17, 1948, Dr. Max Yergan testified before this committee under oath as follows:

Was there a group in the Council on African Affairs of Communist officials, who operated as a sort of leading caucus inside the council?

Dr. YERGAN. Not as such. The relation of Communists to the council was informal, and so far as I know, not organized. Toward the end of my relation to the council it became clear to me that there was a Communist core within the council. This was very clear to me during the last months of my relations to the council.

May I ask you now, was there, to your knowledge, a Communist core in the Council on African Affairs?

Mr. ROBESON. I will take the fifth amendment and could I be allowed to read from my own statement here, while you read this statement just for a moment?

Mr. ARENS. Will you just tell this committee while under oath, Mr. Robeson, the Communists who participated in the preparation of that statement?

Mr. ROBESON. Oh, please.

Mr. ARENS. Now:

The CHAIRMAN. Could you identify that core clearly? Of whom did it consist?

Mr. ROBESON. Could I read my statement?

Mr. ARENS. As soon as you tell the committee the Communists who participated in the preparation.

Dr. YERGAN. Dr. Doxey Wilkerson was a member of that core, and took the leading position. Paul Robeson was chairman of the council and certainly a part of that Communist-led core.

Now tell this committee, while you are under oath, was Dr. Yergan lying or was he telling the truth?

Mr. ROBESON. I invoke the fifth amendment. Could I say that for the reason that I am here today, you know, from the mouth of the State Department itself, is because I should not be allowed to travel because I have struggled for years for the independence of the colonial peoples of Africa, and for many years I have so labored and I can say modestly that my name is very much honored in South Africa and all over Africa in my struggles for their independence. That is the kind of independence like Sukarno got in Indonesia. Unless we are double-talking, then these efforts in the interest of Africa would be in the same context. The other reason that I am here today is again from the State Department and from the court record of the court of appeals, that when I am abroad I speak out against the injustices against the Negro people of this land. I sent a message to the Bandung Conference and so forth. That is why I am here. This is the basis and I am not being tried for whether I am a Communist, I am being tried for fighting for the rights of my people who are still second-class citizens in this United States of America. My mother was born in your State, Mr. Walter, and my mother was a Quaker, and my ancestors in the time of Washington baked bread for George Washington's troops when they crossed the Delaware, and my own father was a slave. I stand here struggling for the rights of my people to be full citizens in this country and they are not. They are not in Mississippi and they are not in Montgomery, Ala., and they are not in Washington, and they are nowhere, and that is why I am here today. You want to shut up every Negro who has the courage to stand up and fight for the rights of his people, for the rights of workers and I have been on many a picket line for the steelworkers too. And that is why I am here today.

The CHAIRMAN. Now just a minute.

Mr. ROBESON. All of this is nonsense.

The CHAIRMAN. You ought to read Jackie Robinson's testimony.

Mr. ROBESON. I know Jackie Robinson, and I am sure that in his heart he would take back a lot of what he said about any reference to me. I was one of the last people, Mr. Walter, to speak to Judge Landis, to see that Jackie Robinson had a chance to play baseball. Get the pictures and get the record. I was taken by Landis by the hand, and I addressed the combined owners of the American and the National Leagues, pleading for Robinson to be able to play baseball like I played professional football.

Mr. ARENS. Would you tell us whether or not you know Thomas W. Young?

Mr. ROBESON. I invoke the fifth amendment.

Mr. ARENS. Thomas W. Young is a Negro who is president of the Guide Publishing Co., Inc., publishers of the Journal and Guide in Virginia and North Carolina. He took an oath before this committee on this issue, which you have just been so eloquently discussing, and I would like to read you his testimony:

What basis is there, if any, for believing Paul Robeson when he says that in the event of a war with Russia, the Negro would not fight for his country against the Soviets?

No matter how strongly we may believe it is false, that statement coming from Robeson is not easily disposed of. His own life story is an inspiration to humble people of whom Mr. Robeson now presumes to speak. In the first place, Mr. Robeson is now so far out of touch with the Negro thinking in his everyday emotions, he can no longer speak authoritatively about or for the race. Mr. Robeson does not speak for the young men who served their country so well during the recent war. He does not speak for the common people who read and believe in the Negro newspapers. He does not speak for the masses of the Negro people whom he has so shamelessly deserted. I have heard Paul Robeson declare his own personal disloyalty to the United States. He has no moral right to place in jeopardy the welfare of the American Negro simply to advance a foreign cause in which we have no real interest. It is my firm conviction that in the eyes of the Negro people this false prophet is regarded as unfaithful to their country, and they repudiate him.

Do you know the man who said that under oath before this committee?

Mr. ROBESON. I invoke the fifth amendment. May I now read from other Negro periodicals, which says "Paul Robeson, Negro American," and may I read from where I am a doctor of humanity from Moorehouse, and may I read from a statement by Marshall Field, when I received the Spingarn medal from the NAACP?

The CHAIRMAN. No.

Mr. ROBESON. Why not? You allowed the other statements.

The CHAIRMAN. This was a question, Mr. Robeson.

Mr. ROBESON. I have answered the question, and I take the fifth amendment.

The CHAIRMAN. You have invoked the fifth amendment, and you have answered the question.

Mr. ROBESON. Now, would you give me a chance to read my statement?

Mr. KEARNEY. I would like to ask you one question. Would you mind reading from some of the citations you have received from Stalin?

Mr. ROBESON. I have not received any citations from Stalin.

The CHAIRMAN. From the Russian Government?

Mr. ROBESON. No, I received citations and medals from the Abraham Lincoln High School and medals from the NAACP and medals from many parts of the world, for my efforts for peace. It seems as though you gentlemen would be trying to contravene the waging of peace by your President here today. Are you for war, Mr. Walter, and would you be in the category of this former Representative who felt we should have fought on the side of Hitler? Are you in that category? Now can I read my statement?

Mr. KEARNEY. Were you in the service?

Mr. ROBESON. It is a sad and bitter commentary—

The CHAIRMAN. Just answer the question.

Mr. ARENS. Did you make a trip to Europe in 1949 and to the Soviet Union?

Mr. ROBESON. Yes; I made a trip to England and I sang.

Mr. ARENS. Where did you go?

Mr. ROBESON. I went first to England, where I was with the Philadelphia Orchestra, one of two American concert acts or groups which was invited to England to sing. I did a long concert tour in England and Scandinavia, and in Denmark, and in Sweden and I also sang for the Soviet people, one of the finest musical audiences in the world. Will you read what the Porgy and Bess people said? They never heard such applause in their lives, and one of the most musical people in the world, and the great composers and great musicians, very cultured people, and Tolstoy, and——

The CHAIRMAN. We know all of that.

Mr. ROBESON. They have helped our culture and we can learn a lot.

Mr. ARENS. Did you go to Paris on that trip?

Mr. ROBESON. I went to Paris.

Mr. ARENS. And while you were in Paris, did you tell an audience there that the American Negro would never go to war against the Soviet Government?

Mr. ROBESON. May I say that is slightly out of context? May I explain to you what I did say? I remember the speech very well, and the night before in London, and do not take the newspaper, take me, I made the speech, gentlemen, Mr. So and So. It happened that the night before in London before I went to Paris, and will you please listen?

Mr. ARENS. We are listening.

Mr. ROBESON. That 2,000 students from various parts of the colonial world, students who since then have become very important in their governments and in places like Indonesia and India, and in many parts of Africa; 2,000 students asked me and Dr. Dadoo, a leader of the Indian people in South Africa, when we addressed this specific conference, and remember I was speaking to a peace conference, a conference devoted to peace, they asked me and Dr. Doudo to say there that they were struggling for peace, that they did not want war against anybody. It was 2,000 students who came from populations that would range to six or seven hundred million people, and not just 15 million.

Mr. KEARNEY. Do you know anybody who wants war?

Mr. ROBESON. They asked me to address this conference and say in their name that they did not want war. That is what I said. There is no part of my speech made in Paris which says that I said that 15 million American Negroes would do anything. I said it was my feeling that the American people would struggle for peace and that has since been underscored by the President of these United States. Now, in passing, I said——

Mr. KEARNEY. Do you know of any people who want war?

Mr. ROBESON. Listen to me, I said it was unthinkable to me that any people would take up arms in the name of an Eastland to go against anybody, and gentlemen, I still say that. What should happen would be that this United States Government should go down to Mississippi and protect my people. That is what should happen.

The CHAIRMAN. Did you say what was attributed to you?

Mr. ROBESON. I did not say it in that context.

Mr. ARENS. I lay before you a document, containing an article, I Am Looking for Full Freedom, by Paul Robeson, in which is recited a quotation of Paul Robeson.

Mr. ROBESON. That is fine.

Mr. ARENS. This article appears in a publication called the Worker dated July 3, 1949.

Mr. ROBESON. That is right.

Mr. ARENS (reading) :

At the Paris Conference I said it was unthinkable that the Negro people of America or elsewhere in the world could be drawn into war with the Soviet Union.

Mr. ROBESON. Is that saying the Negro people would do anything? I said it is unthinkable. I did not say it there; I did not say that there. I said that in the Worker.

Mr. ARENS (reading) :

I repeat it with hundredfold emphasis: They will not.

Did you say that?

Mr. ROBESON. I did not say that in Paris; no.

Mr. ARENS. Did you say that in this article?

Mr. ROBESON. I said that in America. And, gentlemen, they have not yet done so, and it is quite clear that no Americans or no people in the world probably are going to war with the Soviet Union, so I was rather prophetic, was I not, and rather prophetic. We want peace today and not war.

Mr. ARENS. On that trip to Europe, did you go to Stockholm?

Mr. ROBESON. I certainly did and I understand that some people in the American Embassy tried to break up my concert, and they were not successful.

Mr. ARENS. While you were in Stockholm, did you make a little speech?

Mr. ROBESON. I made all kinds of speeches; yes.

Mr. ARENS. Let me read you a quotation of one of your speeches, and see if it comes to your mind.

Mr. ROBESON. Let me listen.

Mr. ARENS. Do so, please.

Mr. ROBESON. I am a lawyer.

Mr. KEARNEY. It would be a revelation if you would listen to counsel.

Mr. ROBESON. In good company I usually listen, but you know people wander around in such fancy places, you know, and would you please let me read my statement at some point?

The CHAIRMAN. We will consider your statement.

Mr. ARENS (reading) :

I do not hesitate 1 second to state clearly and unmistakably: I belong to the American resistance movement which fights against American imperialism, just as the resistance movement fought against Hitler.

Mr. ROBESON. Just like Frederick Douglass and Harry Tubman were underground railroaders, and fighting for our freedom; you bet your life.

The CHAIRMAN. I am going to have to insist that you listen to these questions.

Mr. ROBESON. I am listening.

Mr. ARENS (reading) :

If the American warmongers fancy that they could win America's millions of Negroes for a war against those countries (i. e., the Soviet Union and the peoples' democracies) then they ought to understand that this will never be the case. Why should the Negroes ever fight against the only nations of the world where racial discrimination is prohibited, and where the people can live freely? Never! I can assure you, they will never fight against either the Soviet Union or the peoples' democracies.

Did you make that statement?

Mr. ROBESON. I do not remember that. But what is perfectly clear today is that 900 million other colored people have told you that they will not, is that not so? 400 million in India and millions everywhere have told you precisely that the colored people are not going to die for anybody and they are going to die for their independence. We are dealing not with 15 million colored people. We are dealing with hundreds of millions.

Mr. KEARNEY. The witness has answered the question and he does not have to make a speech.

Mr. ARENS. Did you go to Prague, Czechoslovakia?

Mr. ROBESON. I sang in Prague.

Mr. ARENS. And did you make a speech there?

Mr. ROBESON. I do not quite remember. Let me hear it.

Mr. ARENS. Let me read you this: This is a quotation from one of your addresses there, and see if it refreshes your recollection. You came as a representative of progressive America.

Mr. ROBESON. I did.

Mr. ARENS (reading) :

Not only as a representative of progressive America, but as a representative for the 12 Communists on trial in New York. I expect to return to New York to testify on their behalf.

Mr. ROBESON. I did, and I did testify on their behalf.

Mr. SCHERER. They were convicted.

Mr. ROBESON. I feel that, like the Supreme Court decision against segregation, the minority opinion of Justice Black will one day rule this country.

Mr. SCHERER. They were convicted.

Mr. ROBESON. They were convicted certainly, and every decent American today knows that the Smith Act is a vicious document.

Mr. SCHERER. That is your opinion.

Mr. ROBESON. It is a vicious document and it is not my opinion.

The CHAIRMAN. If everyone knows that, why is it still on the statute books?

Mr. ARENS. Then you did go to Moscow, on this trip?

Mr. ROBESON. Oh, yes.

Mr. ARENS. And while you were there, did you make a speech there?

Mr. ROBESON. I spoke many times and sang.

Mr. SCHERER. What year was it?

Mr. ARENS. 1949, was it not?

Mr. ROBESON. 1949, that is right.

Mr. ARENS. Did you write an article that was subsequently published in the U. S. S. R. Information Bulletin?

Mr. ROBESON. Yes.

Mr. ARENS. In that article, did you say :

Moscow is very dear to me and very close to my heart. I want to emphasize that only here, in the Soviet Union, did I feel that I was a real man with a capital "M." And now after many years I am here again in Moscow, in the country I love more than any other.

Did you say that?

Mr. ROBESON. I would say,——what is your name?

Mr. ARENS. Arens.

Mr. ROBESON. We will take this in context, and I am quite willing to answer the question, and you are reading from a document and it is in context. When I was a singer years ago, and this you have to listen to——

Mr. ARENS. I am listening.

Mr. ROBESON. I am a bass singer, and so for me it was Chaliapin, the great Russian bass, and not Russo the tenor, and so I learned the Russian language and the Russian songs to sing their songs. I wish you would listen now.

Mr. SCHERER. I ask you to direct the witness to answer the question.

Mr. ROBESON. Just be fair to me.

Mr. SCHERER. I ask regular order.

Mr. ROBESON. The great poet of Russia, like Shakespeare of England, is of African blood.

The CHAIRMAN. Let us not go so far afield.

Mr. ROBESON. It is very important. It is very important to explain this. I know what he said.

The CHAIRMAN. You can make an explanation. Did you make that statement?

Mr. ROBESON. When I first went to Russia in 1934——

The CHAIRMAN. Did you make that statement?

Mr. ROBESON. When I first went to Russia in 1934——

The CHAIRMAN. Did you make that statement?

Mr. SCHERER. I ask you to direct the witness to answer the question. (The witness consulted with his counsel.)

The CHAIRMAN. Did you make that statement?

Mr. ROBESON. I would say in Russia I felt for the first time like a full human being, and no colored prejudice like in Mississippi and no colored prejudice like in Washington and it was the first time I felt like a human being, where I did not feel the pressure of colored as I feel in this committee today.

Mr. SCHERER. Why do you not stay in Russia?

Mr. ROBESON. Because my father was a slave, and my people died to build this country, and I am going to stay here and have a part of it just like you. And no Fascist-minded people will drive me from it. Is that clear? I am for peace with the Soviet Union and I am for peace with China, and I am not for peace or friendship with the Fascist Franco, and I am not for peace with Fascist Nazi Germans, and I am for peace with decent people in the world.

Mr. SCHERER. The reason you are here is because you are promoting the Communist cause in this country.

Mr. ROBESON. I am here because I am opposing the neo-Fascist cause which I see arising in these committees. You are like the Alien Sedition Act, and Jefferson could be sitting here, and Frederick Douglas could be sitting here and Eugene Debs could be here.

The CHAIRMAN. Are you going to answer the questions?

Mr. ROBESON. I am answering them.

The CHAIRMAN. What is your answer to this question?

Mr. ROBESON. I have answered the question.

Mr. ARENS. Did you send your son to a Soviet school in New York City?

Mr. ROBESON. What is that?

Mr. ARENS. Did you send your son to a Soviet school in New York City?

Mr. ROBESON. I sent my son to a Soviet school in the Soviet Union and in England, and he was not able to go to a Soviet school in New York.

Mr. ARENS. Did you say that he went to a Soviet school in New York?

Mr. ROBESON. I would have liked him to, but he could not. He went to a Soviet school in London and one in Moscow.

Mr. ARENS. I again invite your attention to this article to which we have been referring, and speaking of your son and his studies, in a Soviet school in Soviet Russia: "Here he spent 3 years."

Mr. ROBESON. And he suffered no prejudice like he would here in Washington.

Mr. ARENS (reading):

Then studied in a Soviet School in London.

Mr. ROBESON. That is right.

Mr. ARENS (reading):

And in a Soviet school in New York.

Mr. ROBESON. He was not able to.

Mr. ARENS. Is that a mistake?

Mr. ROBESON. That is a mistake.

Mr. ARENS. That is a printer's error?

Mr. ROBESON. And a wrong statement by me.

The CHAIRMAN. Now, what prejudice are you talking about? You were graduated from Rutgers and you were graduated from the University of Pennsylvania. I remember seeing you play football at Lehigh.

Mr. ROBESON. We beat Lehigh.

The CHAIRMAN. And we had a lot of trouble with you.

Mr. ROBESON. That is right. deWysocki was playing in my team.

The CHAIRMAN. There was no prejudice against you. Why did you not send your son to Rutgers?

Mr. ROBESON. Just a moment. It all depends a great deal. This is something that I challenge very deeply, and very sincerely, the fact that the success of a few Negroes, including myself or Jackie Robinson can make up—and here is a study from Columbia University—for \$700 a year for thousands of Negro families in the South. My father was a slave, and I have cousins who are sharecroppers and I do not see my success in terms of myself. That is the reason, my own success has not meant what it should mean. I have sacrificed literally hundreds of thousands, if not millions, of dollars for what I believe in.

Mr. ARENS. While you were in Moscow, did you make a speech lauding Stalin?

Mr. ROBESON. I do not know.

Mr. ARENS. Did you say in effect that Stalin was a great man and Stalin had done much for the Russian people, for all of the nations of the world, for all working people of the earth? Did you say something to that effect about Stalin when you were in Moscow?

Mr. ROBESON. I cannot remember.

Mr. ARENS. Do you have a recollection of praising Stalin?

Mr. ROBESON. I can certainly know that I said a lot about Soviet people, fighting for the peoples of the earth.

Mr. ARENS. Did you praise Stalin?

Mr. ROBESON. I do not remember.

Mr. ARENS. Have you recently changed your mind about Stalin?

Mr. ROBESON. Whatever has happened to Stalin, gentlemen, is a question for the Soviet Union and I would not argue with a representative of the people who, in building America wasted 60 to 100 million lives of my people, black people drawn from Africa on the plantations. You are responsible and your forebears for 60 million to 100 million black people dying in the slave ships and on the plantations, and don't you ask me about anybody, please.

Mr. ARENS. I am glad you called our attention to that slave problem. While you were in Soviet Russia, did you ask them there to show you the slave labor camps?

The CHAIRMAN. You have been so greatly interested in slaves, I should think that you would want to see that.

Mr. ROBESON. The slaves I see are still as a kind of semiserfdom, and I am interested in the place I am and in the country that can do something about it. As far as I know about the slave camps, they were Fascist prisoners who had murdered millions of the Jewish people and who would have wiped out millions of the Negro people could they have gotten a hold of them. That is all I know about that.

Mr. ARENS. Tell us whether or not you have changed your opinion in the recent past about Stalin.

Mr. ROBESON. I have told you, Mister, that I would not discuss anything with the people who have murdered 60 million of my people, and I will not discuss Stalin with you.

Mr. ARENS. You would not, of course, discuss with us the slave labor camps in Soviet Russia.

Mr. ROBESON. I will discuss Stalin when I may be among the Russian people some day singing for them, and I will discuss it there. It is their problem.

Mr. ARENS. I suppose you are still going to laud Stalin like you did in 1949, or have you changed your appraisal?

Mr. ROBESON. We will not discuss that here. It is very interesting, however, whether Stalin or the Soviet people, that from 1917 to 1947, in one generation there could be a nation which equals the power of this one in one generation. That is one generation and nothing could be built more on slavery than this society, I assure you.

Mr. ARENS. Let me read you another statement by you about the Soviet Union and see if it refreshes your recollection.

Mr. ROBESON. You can keep reading about the Soviet Union and I have great friendship and great affection for the Soviet Union.

Mr. ARENS. How about your great affection now for the leader you were praising in 1949?

Mr. ROBESON. That is O. K.

Mr. ARENS. Has that affection diminished recently?

Mr. ROBESON. That is a question I will discuss among friends.

Mr. ARENS. You will hold that in reservation.

Mr. ROBESON. Yes.

Mr. ARENS (reading):

Now, the Soviet Union is the only country I have ever been in where I have felt completely at ease. I have lived in England and America, and I have almost circled the globe but for myself, wife, and son, the Soviet Union is our future home.

Mr. ROBESON. If it were so we would be there. My wife is here and my son is here, and we have come back here.

Mr. ARENS. Let me complete this paragraph and see if it helps explain why it is not your future home.

For a while, however, I would not feel right going there to live. By singing its praises wherever I go I think that I can be of the most value to it. It is too easy to go to the Soviet Union, breathe the free air, and live happily ever afterward.

Were those your sentiments?

Mr. ROBESON. I came back to America to fight for my people here, and they are still second- and third-class citizens, gentlemen, and I was born here of the Negro people and of working people and I am back here to help them struggle.

Mr. SCHERER. Did you say that?

Mr. ROBESON. I have said that many times.

Mr. SCHERER. Did you say what he read to you?

Mr. ROBESON. I do not even know what he is reading from, really, and I do not mind. It is like the statement that I was supposed to make in Paris. Now, this was not in context, but I thought it was healthy for Americans to consider whether or not Negroes should fight for people who kick them around, and when they took a vote up North they got very nervous because a lot of white Americans said, "I do not see why the hell they would."

Mr. ARENS. Did you, while you were in Moscow, make this statement:

Yes, the Communists march at the front of the struggle for stable peace and popular democracy. But they are not alone. With them are all of the progressive people of America, Wallace's party, and the Negroes of the South, and workers of the North.

Mr. ROBESON. Now you are making it up, brother. I would have to get my own copy of the speech.

Mr. ARENS. I put it to you as a fact and ask you, while you are under oath, to deny the fact that you made that statement.

Mr. ROBESON. I am not denying, but do not just read anything into something. How could I say what Wallace's party would do, or what somebody else would do? That is nonsense.

Mr. ARENS. While you are under oath, why do you not deny it?

Mr. ROBESON. The Soviet Union and the People's Democracy in China are in the forefront of the struggle for peace, and so is our President, thank goodness, and let us hope we will have some peace, if committees like yours do not upset the applecart and destroy all of humanity. Now can I read my speech?

The CHAIRMAN. You have made it without reading it. Can you tell us what Communists participated in the preparation of that speech?

Mr. ROBESON. Participated in what?

Mr. ARENS. While you were in Soviet Russia, did you make statements about your academic training in Marxism? Do you recall that?

Mr. ROBESON. I do not recall that, but I have read a lot of Marx.

Mr. ARENS. Do you know a woman by the name of Sheila Lind?

Mr. ROBESON. I do not recall.

Mr. ARENS. She wrote an article and I am going to lay it before you here so you can help me read it. This is the Daily Worker, 1949, in which she interviewed you and it tells all about your achievements. Let me read you this for the record and you can follow it here. She is quoting:

"When I crossed the border from Poland into the Soviet Union," he told me, "It was like stepping into another planet."

Mr. ROBESON. Exactly true, no more prejudice, and no more colored feeling, that is right.

Mr. ARENS (reading) :

"I felt the full dignity of being a human being for the first time."

Mr. ROBESON. That is right, and that is still not here.

Mr. ARENS (continuing) :

"He loved what he found there so much that until the war, he returned to Russia for each new year."

Mr. ROBESON. Every new year, and we took a little vodka.

Mr. ARENS (continuing to read) :

"And he sent his son to school there. In Moscow he began to study Marxism."

Mr. ROBESON. No, I started to study that in England, and all of my political education, strange to say, came in England where I lived and worked for many years and came back here. But my Marxist education, or education as you call it, is in English background of the Labor Party. I went to Republican Spain with Lord Atlee to visit the Atlee Battalion and I knew Sir Stafford Cripps and I knew all of the members of the Labor Party, so you cannot blame that on the Russians. You will have to blame that on the English Labor Party. They have just invited me to come to London next week to sing to 140,000 miners up in Yorkshire. Do you think that you could let me go?

The CHAIRMAN. We have nothing to do with that.

Mr. ROBESON. Could you not make a suggestion to the State Department that I be allowed to go?

The CHAIRMAN. That would not do any good because the courts have ruled that it is not in the best interests of the United States to permit you to travel.

Mr. ROBESON. They have not done that. They have ruled on a very technical problem, Mr. Walter, as to whether I sign an affidavit. That is all.

Mr. ARENS. In the summer of 1949, you came back to the United States; is that right?

Mr. ROBESON. In the summer of 1949, yes, that is right.

Mr. ARENS. And when you came back, did you make a speech in New York City, addressing a rally there? Do you recall that?

Mr. ROBESON. I do not.

Mr. ARENS. Let me quote from an article appearing in a paper, and see if you recall this speech:

I have the greatest contempt for the democratic press and there is something within me which keeps me from breaking your cameras over your heads.

Did you say that to the press people in New York City about the time you were addressing this rally in June of 1949?

Mr. ROBESON. It is sort of out of context.

Mr. ARENS. That was out of context?

Mr. ROBESON. I am afraid it is.

Mr. ARENS. Would you want to refresh your recollection by looking at the article?

Mr. ROBESON. Yes. That was not at a meeting. Why do you not say what it was? When my son married the woman of his choice, some very wild press men were there to make a sensation out of it, and this thing was at his wedding, and I did not say "democratic press," I said "a certain kind of press," and I was reaching for a camera to break it, you are quite right.

Mr. ARENS. That was a misquotation?

Mr. ROBESON. It was not at a meeting. It was when I came out of my son's wedding, and why do you not be honest about this? There is nothing about a meeting, it was a wedding of my son.

Mr. ARENS. Does not this article say, "Paul Robeson Addressing a Welcome Home Rally"?

Mr. ROBESON. I do not care what it says.

Mr. ARENS. That is wrong, too, is it?

Now I would invite your attention, if you please, to the Daily Worker of June 29, 1949, with reference to a get-together with you and Ben Davis. Do you know Ben Davis?

Mr. ROBESON. One of my dearest friends, one of the finest Americans you can imagine, born of a fine family, who went to Amherst and was a great man.

The CHAIRMAN. The answer is "Yes"?

Mr. ROBESON. And a very great friend and nothing could make me prouder than to know him.

The CHAIRMAN. That answers the question.

Mr. ARENS. Did I understand you to laud his patriotism?

Mr. ROBESON. I say that he is as patriotic an American as there can be, and you gentlemen belong with the Alien and Sedition Acts, and you are the nonpatriots, and you are the un-Americans and you ought to be ashamed of yourselves.

The CHAIRMAN. Just a minute, the hearing is now adjourned.

Mr. ROBESON. I should think it would be.

The CHAIRMAN. I have endured all of this that I can.

Mr. ROBESON. Can I read my statement?

The CHAIRMAN. No, you cannot read it. The meeting is adjourned.

Mr. ROBESON. I think it should be and you should adjourn this forever, that is what I would say.

The CHAIRMAN. We will convene at 2 o'clock this afternoon.

Mr. FRIEDMAN. Will the statement be accepted for the record without being read?

The CHAIRMAN. No, it will not.

(Whereupon, at 11 a. m., a recess was taken until 2 p. m., of this same day.)

AFTERNOON SESSION—TUESDAY, JUNE 12, 1956

(The hearing was resumed at 2 p. m.)

The CHAIRMAN. The committee will be in order.

Call your witness, Mr. Arens.

Mr. ARENS. Clark Foreman, please come forward.

The CHAIRMAN. Raise your right hand. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth so help you God?

Mr. FOREMAN. I do.

TESTIMONY OF CLARK HOWELL FOREMAN, ACCOMPANIED BY COUNSEL, LEONARD BOUDIN

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. FOREMAN. My name is Clark Foreman. I live in New York City, 250 Riverside Drive. I am a sociologist by profession and I am the director of the Emergency Civil Liberties Committee. Mr. Chairman, I would like to make or raise a question about the jurisdiction of the committee.

The CHAIRMAN. This is the wrong forum in which to raise that question.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. FOREMAN. I would like to find out what is the proper forum.

The CHAIRMAN. Ask your lawyer and do not ask me.

Mr. FOREMAN. My lawyer advises me that since we wrote in advance or telegraphed in advance to find out what the nature of the inquiry was, and received no reply, that this is the only forum in which we can find out the jurisdiction and whether this is the proper forum.

The CHAIRMAN. I think if you will remain quiet for a few minutes until questions are asked it will become abundantly clear what we would like to know from you.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

(The witness consulted with his counsel.)

Mr. FOREMAN. I received a subpoena called command, mine was.

Mr. ARENS. And you are represented by counsel?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself for this record.

Mr. BOUDIN. Leonard Boudin, of New York City.

Mr. ARENS. That subpoena requests you to produce certain documents, does it not, Mr. Foreman?

Mr. FOREMAN. It does.

Mr. ARENS. And do you have those documents in your custody or control?

Mr. FOREMAN. I have a batch of them. I do not have the passport that I used last.

Mr. ARENS. What documents do you have in response to this subpoena duces tecum?

Mr. FOREMAN. I have some old passports.

Mr. ARENS. Would you kindly produce them at this time?

Mr. FOREMAN. I have some old passports that have been canceled. As I said, I do not have the latest passport that I used because that was stolen from me.

Mr. ARENS. Do you know when that occurred?

Mr. FOREMAN. Yes; it occurred in October, I think it was October of 1951, and so that is not in my possession.

Mr. ARENS. Will you now transfer to the custody of the committee the documents called for in the subpoena duces tecum which are in your possession?

Mr. FOREMAN. I am turning over to your committee, Mr. Chairman, the expired canceled passports that I have. I have another passport unused just as it was given to me by the State Department, and I cannot see that it would serve any legislative purpose to turn it over to the committee.

Mr. ARENS. I respectfully suggest that this record show that this witness is ordered to comply with the subpoena and cause to be transmitted forthwith to the committee the passport which is currently outstanding and which is in his custody and control.

The CHAIRMAN. Yes; we will take very good care of your passport and assure you it will not be stolen as was your other one. Just turn it over to counsel.

Mr. FOREMAN. Does that mean it will be returned to me this afternoon?

The CHAIRMAN. It will be returned.

Mr. FOREMAN. This afternoon?

Mr. CHAIRMAN. Yes; if we do not need it further.

Mr. FOREMAN. I am sorry, Mr. Chairman, to seem obstinate, but I have had very bad experience with the committee.

The CHAIRMAN. You are directed to comply with the provision of the subpoena duces tecum under which you were requested to present to this committee your passport.

Mr. FOREMAN. Well, this is the reason I wanted to raise—

The CHAIRMAN. I do not care about your reason. I am directing you to comply with the subpoena.

Mr. FOREMAN. You mean I cannot explain to you why I am going to do it?

The CHAIRMAN. You can comply with the subpoena, and I make no deals with you.

(The witness consulted with his counsel.)

Mr. FOREMAN. I believe that I am complying to the best of my ability. I cannot give you a passport that is my personal right to travel. This, I think, is an interference into the executive departments.

The CHAIRMAN. It does not make any difference what you think. You are directed to turn over to the—

Mr. FOREMAN. It makes a great difference to me.

The CHAIRMAN. All right.

Mr. BOUDIN. The witness has not finished his answer.

The CHAIRMAN. Oh, yes, he has. Quit interrupting the proceedings.

Mr. BOUDIN. I am consulting with the client.

The CHAIRMAN. The witness did not ask you any question at all.

Mr. BOUDIN. I am giving him some advice.

Mr. ARENS. You are director of the Emergency Civil Liberties Committee?

Mr. FOREMAN. Would you mind my finishing consulting with my lawyer?

(The witness consulted with his counsel.)

Mr. BOUDIN. May I finish consulting with the witness, please?

(The witness consulted with his counsel.)

Mr. FOREMAN. I want to say about the passport, what I really tried to say before, that I am prepared to show it to the committee, and to the counsel and to read into the record the entire contents of it, which is nothing except what the State Department gave to me, after a very long and expensive lawsuit, except that it now has my signature on it. Now, I am perfectly prepared to show that to the counsel, but it does seem to me that it is unreasonable to ask me to surrender it.

The CHAIRMAN. Whether it seems unreasonable or not, we are the judges of that, and you are directed to turn it over to the committee.

Mr. FOREMAN. I have to refer to the courts and the courts said I am entitled to a hearing.

Mr. ARENS. How long have you been director of the Emergency Civil Liberties Committee?

Mr. FOREMAN. Could you tell me, Mr. Chairman? Could you tell me why you want the passport?

Mr. ARENS. I suggest the witness be ordered and directed to answer the questions outstanding on this record. How long have you been director of the Emergency Civil Liberties Committee?

Mr. FOREMAN. These questions, I must have some elucidation, and I cannot just—

Mr. ARENS. Are you director of the Emergency Civil Liberties Committee?

Mr. FOREMAN. Mr. Arens, I identified myself as such.

Mr. ARENS. How long have you been director of the Emergency Civil Liberties Committee?

Mr. FOREMAN. Since 1951, and I think in December.

Mr. ARENS. I lay before you now a document, "Emergency Civil Liberties Committee, Artist's Right to Travel, A Tribute to Paul Robeson," a program announcing a celebration in tribute to Paul Robeson, to be held at Town Hall, in New York City, June 13, 1956, Wednesday, tomorrow night, at 8:30 p. m. I will ask you whether or not you are a part and parcel of preparation for that conference and that celebration?

Mr. FOREMAN. I am absolutely responsible.

Mr. ARENS. Is that the same individual who preceded you on the witness stand?

Mr. FOREMAN. The same Paul Robeson.

Mr. ARENS. I lay before you now some photographs and ask you if you see in that photograph the likeness or reproduction of the individ-

ual who is going to be honored tomorrow night by the organization of which you are the director, at New York City.

Mr. FOREMAN. It appears to be Paul Robeson, yes, sir.

Mr. ARENS. Please look at that photograph, and see if you recognize anyone else in that photograph.

Mr. FOREMAN. I am afraid I do not.

Mr. ARENS. Do you recognize the man at Robeson's left, Eugene Dennis?

Mr. FOREMAN. I do not know Mr. Dennis, but I think it does look like some of his pictures.

Mr. ARENS. Then I ask you to kindly look at that photograph, and see if you recognize Mr. Paul Robeson in that photograph.

(The witness consulted with his counsel.)

Mr. FOREMAN. It looks like the same photograph.

Mr. ARENS. Do you recognize Mr. Robeson in that photograph?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. Do you recognize the leadership of the Communist Party in that photograph?

Mr. FOREMAN. I recognize the same man that you identified as being Mr. Dennis.

Mr. ARENS. Did you ever know him?

Mr. FOREMAN. No.

Mr. ARENS. Mr. Chairman, I respectfully suggest these two photographs be marked "Foreman Exhibit No. 1" and incorporated by reference in this record.

The CHAIRMAN. So ordered.

Mr. KEARNEY. May I ask the witness a question? Is this the same Eugene Dennis who was convicted with the 12 Communists in New York City and is now in a Federal prison?

Mr. ARENS. Yes, that is correct.

Are you cognizant of the fact that this Paul Robeson who will be the celebrant at the affair tomorrow sponsored by the organization of which you are director, announced to the world in 1952, while the youth of this Nation were laying down their lives in Korea, that the United States was engaged in bacteriological warfare in Korea?

Mr. FOREMAN. I am not.

Mr. ARENS. May I invite your attention to a quotation in the Shanghai News, under date of October 4, 1952, from Paul Robeson:

With profound shame and indignation, I join with you and with humane women and men everywhere in demanding that the Government of the United States stop immediately the unspeakable crime of bacteriological warfare and conform without further excuse to the international convention to outlaw such barbaric weapons.

Are you cognizant of the fact that the man who will be the person to be honored by your organization in New York City tomorrow night so condemned this Nation while our boys were laying down their lives in Korea?

Mr. FOREMAN. I am not.

Mr. ARENS. Are you now indignant at the knowledge that he is the man who will be honored tomorrow night by your organization?

Mr. FOREMAN. My personal opinions, and my indignation, and my pleasure is no business of this committee. Paul Robeson is a citizen of the United States and only as a citizen is he entitled to a passport and that is why we are helping him get it.

Mr. ARENS. Are you also cognizant of the fact that Robeson after a trip to Moscow in 1949, and over a course of a considerable period of time was paying tribute over this Nation in speeches to various groups, to the great Stalin in the struggle which he had to build a peace in the world? Are you cognizant of that activity by Paul Robeson who will be honored by your organization at New York City tomorrow night?

Mr. FOREMAN. No, I am not. But whatever damage he may have done abroad has not been on a par to what the State Department has done by refusing him a passport. That is the point. Paul Robeson as an individual could never do the damage to this country that the State Department has done.

The CHAIRMAN. Would you honor a man if you knew that he falsely charged this great Republic, that did so much for him, with resorting to germ warfare?

Mr. FOREMAN. It is not a question—

The CHAIRMAN. Would you honor such a man?

Mr. FOREMAN. Mr. Chairman, it is not a question of honor. You are asking me a hypothetical question. It is not a question of honor. I would say he is entitled to travel. This morning one of you asked him why he did not go to Russia to live. I was amazed that he did not say, "Because you will not give me a passport."

The CHAIRMAN. He can go to Russia any time he likes.

Mr. FOREMAN. That is not what the State Department says.

The CHAIRMAN. Perhaps he could arrange to go on the *Batory*, that traveled to Iron Curtain countries.

Mr. FOREMAN. I think you are out of date and I do not think it does come to the United States, but the State Department has assured me that no citizen of this country—

Mr. ARENS. Now I lay before you a document. I have been directed by the chairman to proceed with the interrogation, sir. I lay before you now a document which is on a letterhead of the Emergency Civil Liberties Committee, dated February 14, 1956 bearing signature of Clark Foreman, director, to which is appended a petition addressed to the House of Representatives of the United States. I ask you if that is your signature to that document?

Mr. FOREMAN. May I finish answering my previous reply?

The CHAIRMAN. No, I have heard all I care to hear. I directed Mr. Arens to ask a question and he has propounded a question. You can answer it.

Mr. FOREMAN. May I read this, Mr. Chairman?

Mr. ARENS. I only asked you if that was your signature.

(The witness consulted with his counsel.)

Mr. FOREMAN. Yes. May I read it into the record?

Mr. ARENS. I am going to read part of it into the record.

Mr. FOREMAN. I would like for you to read it all.

The CHAIRMAN. Has he admitted it was his signature?

Mr. ARENS. He has identified his signature to the document. It is a petition, Mr. Chairman, which I thought this record ought to reflect as part of the activities of the organization of which this witness is director, requesting among other things that the House itself, the House of Representatives, rescind the appropriation for the Committee on Un-American Activities.

The CHAIRMAN. That was the appropriation voted unanimously by the House?

Mr. FOREMAN. I think there was one vote against. I know it was not unanimous.

The CHAIRMAN. There was one vote against it; I will accept the amendment.

Mr. ARENS. I suggest, Mr. Chairman, this document be marked "Foreman Exhibit No. 2" and incorporated by reference in the record.

The CHAIRMAN. So ordered.

Mr. FOREMAN. I would like it to be reprinted, may I ask—

Mr. ARENS. Will you tell us where you were employed—

Mr. FOREMAN. Since it has been referred to, may I ask it be reprinted in full? It may be treason to the counsel of this committee to oppose the appropriation to the Un-American Activities Committee, but it is not my idea of treason and I would like to have it in the record.

Mr. ARENS. Would you kindly tell this committee where you were employed in 1943, or do you recall?

Mr. FOREMAN. I think I was in the Navy Department.

Mr. ARENS. In what capacity were you employed?

Mr. FOREMAN. Civilian operational research.

Mr. ARENS. And what was the nature of the work in which you were engaged?

Mr. FOREMAN. I was giving advice, scientific advice to the Navy Department.

Mr. ARENS. What type of scientific advice?

Mr. FOREMAN. Any type I was asked to do.

Mr. ARENS. What type of advice were you giving the Navy, and what were the specifics?

Mr. FOREMAN. I worked on a number of different projects.

Mr. ARENS. Tell us about them specifically, what projects?

Mr. FOREMAN. One of the main ones was antisubmarine warfare.

Mr. ARENS. And did you in the course of that work have access to classified or security information?

Mr. FOREMAN. Of course.

Mr. ARENS. Was your work embraced in the research with magnetic mines and other related problems?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. What did you do in the course of your work for the Navy?

Mr. FOREMAN. Well, I did a great many different things.

Mr. ARENS. On the mine operation.

Mr. FOREMAN. I did a great many things. I wrote a little primer for other operational researchers, but the jobs were jobs having to do with national defense and assigned to operational research from time to time. I am sorry I cannot spell out the various different projects, but I do not remember them.

Mr. ARENS. Those were connected with mine operations, in conjunction with the principal work of mines, was it not, in connection with the vessels which were perhaps subjected to prospective mines; is that not correct?

Mr. FOREMAN. That was one part.

Mr. ARENS. In the course of this work, did you have access to confidential or restricted information?

Mr. FOREMAN. I feel sure that I did. To the best of my knowledge and belief I certainly did.

Mr. ARENS. Do you recall where you were engaged, please, sir, in 1947?

(The witness consulted with his counsel.)

Mr. FOREMAN. Well, I was the president of the Southern Conference for Human Welfare.

Mr. ARENS. Were you instrumental in the formation of the Southern Conference for Human Welfare?

Mr. FOREMAN. I was.

Mr. ARENS. And how long did you occupy the position as president of the Southern Conference for Human Welfare?

Mr. FOREMAN. I think from 1942 to 1948.

Mr. ARENS. Were you cognizant of the fact that Earl Browder, former general secretary of the Communist Party, publicly testified that the Southern Conference for Human Welfare was one of the transmission belts of the Communist Party?

Mr. FOREMAN. I was and I want to say, Mr. Chairman, that when Mr. Earl Browder came to my office seeking help in his own civil-liberties problem, I asked him why in the world he made such a statement. He said that if I looked at the record that I would find that he also said that the Congress of the United States was a Communist transmission belt. I have not had the time to look it up, but I think it is equally true.

The CHAIRMAN. Before we go further, Mr. Foreman, what technical training have you ever had?

Mr. FOREMAN. I have had only the training of a social scientist.

The CHAIRMAN. As I look at this Bureau of Ordnance job specification, the work that was called for embraced research and design problems in connection with the protection of ships against magnetic mines and other related problems. You have never had any experience in mines at all; have you?

Mr. FOREMAN. Not that kind of mines, not before.

I did not write the specification and I do not know how it was specified.

The CHAIRMAN. That is the specification for the job that you, unqualified and untrained for, occupied.

Mr. FOREMAN. I did.

The CHAIRMAN. This committee will find out how he obtained the job.

Mr. FOREMAN. I must add for the record that I also got notification at the end that my service was very satisfactory.

The CHAIRMAN. Well, of course.

Mr. DOYLE. May I ask this: Did I understand the witness to state that it was his belief that the Congress of the United States was a transmission belt for the Communist Party?

Mr. FOREMAN. I said it is equally true to say of the United States Congress as it was of the Southern Conference for Human Welfare. Also, equally false.

Mr. ARENS. Mr. Foreman, in 1938 were you a participant in the formation of the Southern Conference for Human Welfare?

Mr. FOREMAN. Also, you say. It is the same thing.

Mr. ARENS. I beg your pardon?

Mr. FOREMAN. I just said that I was one of the founders of the Southern Conference for Human Welfare.

Mr. ARENS. Where were you employed at the time?

Mr. FOREMAN. I was employed in the Public Works Administration, I believe.

Mr. ARENS. Who was your immediate superior?

Mr. FOREMAN. Let me see. I think it was Secretary Harold Ickes.

Mr. ARENS. Who invited you to participate in the formation of the Southern Conference for Human Welfare?

Mr. FOREMAN. Well, at that time, I was in Atlanta on an assignment with the National Emergency Council, and a group from Birmingham came to Atlanta and visited my office and asked me if I would attend the first meeting with, I may say, a very distinguished group of Senators and Congressmen.

Mr. ARENS. Was Rob Hall there?

Mr. FOREMAN. I do not know. I did not know him at that time. I know him now.

Mr. ARENS. When did you last meet him and when did you last have contact with him?

Mr. FOREMAN. I think it must have been 5 years ago, I do not remember the date, but I have known him very casually.

Mr. ARENS. Did you know him as secretary of the Communist Party in Alabama?

Mr. FOREMAN. I did not.

Mr. ARENS. Who is William Weiner?

Mr. FOREMAN. It beats me.

Mr. ARENS. Did you know him in any connection with the work of the formation of the Southern Conference for Human Welfare?

Mr. FOREMAN. Not to the best of my knowledge and belief. He may have been going under some alias, but I do not remember hearing that name before.

Mr. ARENS. Who is J. Daniel Weitzman?

Mr. FOREMAN. Daniel Weitzman is a businessman here in Washington.

Mr. ARENS. Do you know him to be a member of the Communist Party?

Mr. FOREMAN. No, I do not, and I do not believe he is.

Mr. ARENS. Now, what has been your operation or connection with the Metropolitan Broadcasting Co. in station WQQW?

Mr. FOREMAN. I helped to organize it.

Mr. ARENS. And who were the coorganizers with you?

Mr. FOREMAN. I do not remember their names.

Mr. ARENS. Was Owen Lattimore connected with this radio station?

Mr. FOREMAN. Goodness, I do not think so, I never heard of it before.

Mr. ARENS. Was Bela Rodman connected with this radio station?

Mr. FOREMAN. I do not know, not that I know of.

Mr. ARENS. Was Rose or John Anderson connected with this radio station?

Mr. FOREMAN. They may have had some stock.

Mr. ARENS. Do you recall any connection they had with the station?

Mr. FOREMAN. I remember they may have given some money or bought some stock, but I do not remember that they had any such other connection.

Mr. ARENS. Was Antilla Minowitz connected with this radio station?

Mr. FOREMAN. I do not know.

Mr. ARENS. And Samuel J. Rodman?

Mr. FOREMAN. Samuel Rodman I think was on the board.

Mr. ARENS. What was the relationship if any between the radio station, WQQW, and the Southern Conference for Human Welfare?

Mr. FOREMAN. There was no relationship.

Mr. ARENS. Did radio station WQQW broadcast information of the activities of the Southern Conference for Human Welfare?

Mr. FOREMAN. It may have, I hope so. We tried to get it on as many radio stations as possible.

Mr. ARENS. Did you make a trip to Poland in 1945?

Mr. FOREMAN. No.

Mr. ARENS. Have you ever made a trip to Poland?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. What year was that?

Mr. FOREMAN. 1949.

Mr. ARENS. Who sponsored this trip?

Mr. FOREMAN. I was invited to attend the meeting of the Democratic Party of Poland in Warsaw with the Honorable Elmer Benson.

Mr. ARENS. Who paid your expenses?

Mr. FOREMAN. The Polish Government.

Mr. ARENS. Where were you employed at the time?

Mr. FOREMAN. I was the director of the National Council of the Arts, Sciences, and Professions.

Mr. ARENS. Kindly tell us what month you went to Poland.

Mr. FOREMAN. To the best of my knowledge and belief it was December, and it may have been November or December.

Mr. ARENS. Am I clear from your previous comment a moment ago that you were at that time identified with the National Council of the Arts, Sciences and Professions?

Mr. FOREMAN. I was the acting director.

Mr. ARENS. Are you now or have you ever been identified with the Progressive Citizens of America?

Mr. FOREMAN. Was I identified with it?

Mr. ARENS. Yes, sir.

Mr. FOREMAN. I was, yes, sir.

Mr. ARENS. In what capacity?

Mr. FOREMAN. I think I was a member of the board and I may have been a vice president.

Mr. ARENS. To your knowledge, was there an interlocking relationship in the directorate of the Progressive Citizens of America and the National Council of the Arts, Sciences and Professions?

Mr. FOREMAN. I do not know what you mean by "interlocking." There may have been some overlapping.

Mr. ARENS. Was there considerable overlapping in the directorate?

Mr. FOREMAN. I would have to check them, I am not sure.

Mr. ARENS. Would you kindly, for convenience, just glance at the letterhead of the Progressive Citizens of America, with your name there, and the letterhead of the National Council of the Arts, Sciences,

and Professions with your name there. Who is in a leadership position in one organization and also in a leadership position in the other organization?

Mr. FOREMAN. In the first place, Mr. Arens, one is dated 1947, and the other is 1950.

Mr. ARENS. That is correct.

Mr. FOREMAN. So that that does not quite make it necessary that they are overlapping at any time.

Mr. ARENS. Not simultaneously.

Mr. FOREMAN. Well, Jo Davidson, the eminent sculptor, was the honorary chairman of the National Council of the Arts, Sciences and Professions and he was the cochairman with Frank Kingdon of the Progressive Citizens of America. Later on, I think that they merged.

Mr. ARENS. The PCA merged with the National Council of the Arts, Sciences and Professions?

Mr. FOREMAN. They merged, as I remember it, into the Progressive Citizens of America.

Mr. ARENS. Do you recall when that merger took place?

Mr. FOREMAN. Not exactly, Mr. Arens, but I think it was 1947 or maybe 1946, I am not sure.

Mr. ARENS. Have you ever been identified with the American Slav Congress?

Mr. FOREMAN. The State Department asked me that question. I made a speech there for the election of President Roosevelt in 1944 in Pittsburgh, and I made another speech before them in New York, but to the best of my knowledge and belief that is my only connection with the Slav Congress.

Mr. ARENS. Have you ever been a sponsor of any of their affairs?

Mr. FOREMAN. Not to my knowledge.

Mr. ARENS. Which have been conducted by the American Slav Congress?

Mr. FOREMAN. Not to the best of my knowledge and belief.

(The witness consulted with his counsel.)

Mr. FOREMAN. If you have anything that indicates it I will be glad to look at it.

Mr. ARENS. I hand you a photostatic copy of a document on which there appears the names of sponsors for a function of the American Slav Congress. Your name appears there as a sponsor and I ask you whether that was with your knowledge and acquiescence.

Mr. FOREMAN. I am very glad that you showed me this, because this is a testimonial dinner in honor of Senator Claude Pepper. I would sponsor a dinner for Claude Pepper no matter by what organization, because if he accepts the honor, I think he is one of the most distinguished Senators the South has produced.

Mr. ARENS. Did I understand you to say you would sponsor a dinner irrespective of the nature of the organization sponsoring the dinner?

Mr. FOREMAN. If it was in honor of Senator Pepper or somebody whom I respected as much as I do him.

Mr. ARENS. Have you been identified with the initiating committee for a Congress on Civil Rights?

Mr. FOREMAN. Yes.

Mr. ARENS. And what was the nature of your operation with that initiating committee?

Mr. FOREMAN. As I remember it, Mr. Chairman, I was invited to join a group of people to sponsor a conference on civil rights in Detroit. I am not sure, exactly, the date. I was, however, not able to attend that conference, and I did not attend, and later on the Civil Rights Congress was organized.

Mr. ARENS. You are cognizant, of course, of the fact that the Civil Rights Congress has been repeatedly cited as a Communist-front organization, are you not?

Mr. FOREMAN. The point is that I had no knowledge that this was indicated and I was no part of it; and so, whether or not or whatever the Civil Rights Congress is or is not, I had nothing to do with it.

Mr. ARENS. Are you cognizant of the fact that the Southern Conference for Human Welfare has been repeatedly cited as a Communist-controlled organization?

Mr. FOREMAN. Not by any responsible organization.

Mr. ARENS. I assume that you exclude from the phraseology "responsible organization" the House Committee on Un-American Activities?

Mr. FOREMAN. Absolutely.

Mr. ARENS. Have you been identified with the Provisional Washington Committee To Win the Peace?

Mr. FOREMAN. May I explain why, because I asked at that time repeatedly to be heard, and I was the president of the Southern Conference.

I want to explain my answer as to why I think it was not responsible. I asked and I was assured that I would be given a chance to talk about the Southern Conference for Human Welfare to the Un-American Activities Committee before it issued its report. I was assured that I would be given that opportunity, and I told them I would be glad to give them all of the information they wanted and to go over the files and give them anything they wanted, but they chose to issue the report without calling me.

Mr. ARENS. Is that part of the reason you and your organization are petitioning the United States Congress now to revoke the appropriation for the House Committee on Un-American Activities?

Mr. FOREMAN. It is one of the irresponsible acts.

Mr. ARENS. Tell us about the Washington Committee To Win the Peace.

Mr. FOREMAN. May I just add one more word. You know that report that you referred to, in which we were libeled and slandered and very falsely treated, was analyzed very carefully by Prof. Walter Gellhorn in the Harvard Law Review. Certainly I wish the members of the committee—if they have not read that article, I hope they will because it certainly shows the irresponsibility.

Mr. ARENS. I lay before you a photostatic copy of the letterhead of the Provisional Washington Committee to Win the Peace. On it appears the name of Clark Foreman as one of the national vice-chairmen, and ask you whether or not you are that individual identified as a vice chairman of that organization.

Mr. FOREMAN. I think I am.

Mr. ARENS. Do you know that on the letterhead with you is one Julius Emspak, who has been identified under oath as a member of the Communist conspiracy?

Mr. FOREMAN. Well, let me see it again, please.

(The witness consulted with his counsel.)

(A document was handed to the witness.)

Mr. FOREMAN. You see R. J. Thomas was the head of the United Automobile Workers, and Elmer Benson, the former——

Mr. ARENS. Would you answer the question, and then give us your observations. Do you know that Julius Emspak has been identified under oath as a member of the Communist conspiracy, one of your co-workers in this Washington Committee to Win the Peace?

Mr. FOREMAN. I know that Julius Emspak just recently won a case before the Supreme Court.

Mr. ARENS. Are you afraid to tell us whether or not you know that Julius Emspak has been identified as a member of the Communist conspiracy?

Mr. FOREMAN. I do not, I am not afraid to answer, because no, I do not know, and I do not know what you mean. Wait a minute, I do not know what he means.

The CHAIRMAN. Answer the question.

Mr. FOREMAN. I do not know what he means by it.

The CHAIRMAN. Proceed.

Mr. FOREMAN. Identified, that some irresponsible person has said that, and I know people have said it, but that does not mean anything.

Mr. ARENS. Do you know Millard Lampell has been identified under oath by a responsible person as a member of the Communist conspiracy?

Mr. FOREMAN. No.

Mr. ARENS. Do you know that John Anderson has been identified under oath before a congressional committee by a responsible person as a member of the Communist conspiracy?

Mr. FOREMAN. No.

Mr. ARENS. Do you know that Gertrude Evans, one of your colleagues in this organization, has been identified by a responsible person under oath before a congressional committee as a member of the Communist conspiracy?

Mr. FOREMAN. Well, before I answer that question, I want to ask you what you mean by "one of my colleagues"?

Mr. ARENS. One of the persons listed on this letterhead as a co-worker in this Provisional Washington Committee to Win the Peace.

Mr. FOREMAN. Her name is there.

Mr. ARENS. Do you know that she has been identified by a responsible person under oath as a member of the Communist conspiracy?

Mr. FOREMAN. Is that Matusow that did it, or some responsible person?

Mr. ARENS. Do you know whether she has been identified?

Mr. FOREMAN. No.

Mr. ARENS. Do you know that Russ Nixon, one of your colleagues on this organization has been identified by a responsible person under oath before a congressional committee as a member of the Communist conspiracy?

Mr. FOREMAN. I do not.

Mr. ARENS. Do you know that Don Rothenberg has been identified by a responsible person under oath before a congressional committee as a member of the Communist conspiracy?

Mr. FOREMAN. I do not.

Mr. ARENS. Do you know that J. Daniel Weitzman, has likewise been identified as a member?

Mr. FOREMAN. Is he on that list?

Mr. ARENS. Yes, sir.

Mr. FOREMAN. I would like to make some other observations about some of the people that you have not been able to identify, including myself.

Mr. SCHIERER. The witness has the names.

Mr. BOUDIN. Will you repeat the question so that he can answer it?

The CHAIRMAN. Proceed.

Mr. ARENS. Are you connected with the Committee for Peaceful Alternatives to the Atlantic Pact?

(The witness consulted with his counsel.)

Mr. FOREMAN. I am not.

Mr. ARENS. Well, have you been a signer of a statement: "Toward the Atomic Era of Peace," used by the Committee for Peaceful Alternatives to the Atlantic Pact?

Mr. FOREMAN. I certainly am in favor of an atomic era of peace.

The CHAIRMAN. That is not responsive to the question.

Mr. FOREMAN. I do not remember.

Mr. ARENS. Let me lay before you now a photostatic copy of a document issued by the Committee for Peaceful Alternatives to the Atlantic Pact, on which appears the names of a number of persons. I ask you whether or not that is your name [indicating].

(The witness consulted with his counsel.)

Mr. FOREMAN. I see the name right under mine is Archbishop William—

Mr. ARENS. Are you afraid to tell us whether that is your name and whether or not you signed it?

Mr. FOREMAN. How could I be afraid?

Mr. ARENS. Tell us whether or not you signed it.

Mr. FOREMAN. I do not remember whether I signed it, but it is perfectly sure it is Clark Foreman typed out there, and I am perfectly willing to say I am in favor of it, but I do not remember.

Mr. ARENS. Do you have knowledge of acquiescence given by you to the appending of your name to the statement issued by the Committee for Peaceful Alternatives to the Atlantic Pact?

Mr. FOREMAN. I do not remember. I am perfectly prepared to admit that I was at that time very much interested in peaceful alternatives.

The CHAIRMAN. That is not the question.

Mr. FOREMAN. Mr. Chairman, I cannot—

Mr. ARENS. Were you one of the sponsors of the National Committee to Defeat the Mundt Bill?

Mr. FOREMAN. Yes.

Mr. ARENS. And that Mundt bill as you know, is one of the anti-Communist legislative proposals.

Mr. FOREMAN. But it was defeated.

Mr. ARENS. I believe you will find it was incorporated in the Internal Security Act of 1950.

Mr. FOREMAN. At the time I was against it, it was defeated by the majority of Congress and I believe it was also vetoed.

Mr. KEARNEY. Simply because you were against it, it was defeated?

Mr. FOREMAN. It means that I was not alone, and in the democratic process as it works there was a majority of one House or both that was with me.

Mr. ARENS. Have you been identified with the American Continental Congress for Peace?

Mr. FOREMAN. Not to the best of my knowledge and belief.

Mr. ARENS. I lay before you now, sir, a photostatic copy of a Call to the American Continental Congress for Peace, to be held in Mexico City, September 5-10, 1949. Among the United States sponsors, American Continental Congress for Peace, there appears the name "Clark Foreman," I will ask you if that refreshes your recollection.

Mr. FOREMAN. It is my name, and I am not prepared to say it was not authorized, but I just do not remember it.

Mr. ARENS. Somebody has been using your name on these Communist-inspired operations?

Mr. FOREMAN. I say I am not prepared to say it was not authorized, but I just do not recall it and I do not know it is Communist inspired, and I do not know any of the things you are saying.

Mr. ARENS. Do you feel any sense of indignation that your name should appear on this document?

Mr. FOREMAN. If it was not authorized. I would have to check to find out if it was or not.

Mr. ARENS. Now, what has been your connection, if you please, sir, with the Progressive Party operations?

Mr. FOREMAN. Well, Mr. Chairman, I think that this is highly improper, as a great many of the questions have been.

Mr. ARENS. Mr. Chairman, I respectfully suggest that prior to that question there is a foundation as evidenced by the fact there is an abundance of testimony by competent witnesses before this committee and the committee on the Senate side that the Progressive Party was controlled in many areas by the Communist conspiracy and it was heavily penetrated by the Communist Party. Therefore, I suggest that the witness be ordered and directed to answer the question as to his connection with the Communist Party, particularly in connection with Communist fronts and organizations.

Mr. BOUDIN. The question does not refer to the Communist Party.

Mr. FOREMAN. The counsel does not draw the distinction but there is an abundance of testimony given by other people as to the Democratic Party being controlled by Communists. But I do not think that you have a right to investigate into political affiliations.

Mr. ARENS. Do you think we have a right to investigate into the operations of the Communist conspiracy irrespective as to what ends that conspiracy may go to penetrate political organizations?

Mr. FOREMAN. I have very grave doubts about your rights in a number of ways, but certainly I do not think that you have a right to go into political affiliations of a citizen that you command to appear here.

Mr. ARENS. Kindly tell us, if you please, sir, what has been your official overt connection with the Progressive Party, and with Henry A. Wallace?

Mr. FOREMAN. Is it your ruling that I must tell about my connection with the Progressive Party?

The CHAIRMAN. Yes, answer the question.

Mr. FOREMAN. I was the treasurer of the Progressive Party.

Mr. ARENS. Now, did you know Pete Seeger?

Mr. FOREMAN. Yes.

Mr. ARENS. He was the official troubador of the Wallace Progressive organization; was he not?

Mr. FOREMAN. He is a very good banjo, but I do not know anything about "official."

Mr. ARENS. Do you know anything about his Communist Party affiliations or connections?

Mr. FOREMAN. I do not.

Mr. ARENS. Were you a member of the launching committee for Wallace?

Mr. FOREMAN. I beg your pardon?

Mr. ARENS. Were you a member of the launching committee for Wallace, to launch his campaign?

Mr. FOREMAN. It was a Progressive Citizens for Wallace.

Mr. ARENS. Were you a member of it?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. Was Arthur Faucett one of your colleagues in that enterprise?

Mr. FOREMAN. Possibly, I do not know him.

Mr. ARENS. And Anna Berenson?

Mr. FOREMAN. If you let me see it, I do not remember.

Mr. ARENS. If you do not remember, just say so, and we can go on to another question.

Harry C. Lambertson?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. Do you know he has been identified as a member of the conspiracy?

Mr. FOREMAN. I do not, and I do not believe it.

Mr. ARENS. Dr. Joseph Johnson?

Mr. FOREMAN. I do not know him, to the best of my knowledge.

Mr. ARENS. Mrs. Gertrude Evans?

Mr. FOREMAN. I did not know she was on there, but I know who she is.

Mr. ARENS. Do you know her as a Communist?

Mr. FOREMAN. No, I do not.

Mr. ARENS. Do you know that she has been identified under oath by responsible persons?

Mr. FOREMAN. I do not.

Mr. ARENS. As a member of the Communist conspiracy?

Mr. FOREMAN. I do not.

Mr. ARENS. Do you know DeWitt Eldridge?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. P. L. Albright?

Mr. FOREMAN. No, not to the best of my knowledge and belief.

Mr. ARENS. Don Rothenberg?

Mr. FOREMAN. Yes, I think I did know him, but I did not know the other one.

Mr. ARENS. Do you know Muriel S. Paul?

Mr. FOREMAN. It does not mean anything to me.

Mr. ARENS. Was she not a paid employee operating under your supervision in the Washington Committee for Wallace?

Mr. FOREMAN. I did not have any supervision over the office so far as I can remember, Mr. Arens. I was the—

The CHAIRMAN. Did you know her?

Mr. FOREMAN. No, I do not think that I did.

Mr. ARENS. Now, did the Progressive Party of the District of Columbia circularize the Stockholm peace petitions?

Mr. FOREMAN. I do not believe so. If they did, it was without any authorization. Wait a minute, it may have after I was no longer a member of the Progressive Party.

Mr. ARENS. When were you disassociated?

Mr. BOUDIN. Mr. Chairman, or whoever is the acting chairman, may we have no pictures taken, Mr. Doyle, while the testimony is going on?

Mr. DOYLE (presiding). That will be done, the photographers will please cooperate.

Mr. BOUDIN. Thank you.

Mr. FOREMAN. You asked me when I resigned?

Mr. ARENS. When you disassociated yourself from the Progressive Party?

Mr. FOREMAN. I resigned as treasurer in 1949 and I resigned from the party in 1950. Now, I do not know when the Stockholm peace appeal was, but to the best of my knowledge and belief it was not while I had anything to do with the Progressive Party.

Mr. ARENS. You have no knowledge of the circularization by the Progressive Party of the Stockholm peace appeal; is that correct?

Mr. FOREMAN. No.

Mr. ARENS. Have you ever been acquainted with Alger Hiss?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. What is the nature of your acquaintanceship with Alger Hiss?

Mr. FOREMAN. Purely social or practically purely social. I knew him officially from time to time and I think we had very slight acquaintance in the Government but socially I knew him in Washington.

Mr. ARENS. How about Charles Kramer?

Mr. FOREMAN. Less. I knew him not in Washington but I met him in New York, and I think at the time he was working for Sidney Hillman.

Mr. ARENS. During your acquaintanceship with Alger Hiss, did you ever come upon the knowledge that he was a member of the Communist Party?

Mr. FOREMAN. I did not, and I do not believe he is.

Mr. ARENS. You do not believe he is now?

Mr. FOREMAN. I mean everything I ever saw of Alger Hiss made me feel exactly the opposite.

Mr. ARENS. He was a great patriot?

Mr. FOREMAN. As far as I could see he was not only a very great patriot but a very fine civil servant.

Mr. ARENS. It was all a mistake he was convicted?

Mr. FOREMAN. I did not say that. You speak for yourself.

Mr. ARENS. I just asked you whether or not that would follow in the trend of your thinking, sir.

Mr. FOREMAN. As far as I know, any impression of the acquaintance I had with him, he was a fine citizen.

Mr. ARENS. How about Charles Kramer?

Mr. FOREMAN. The same thing.

Mr. ARENS. A fine citizen?

Mr. FOREMAN. As far as I know.

Mr. ARENS. Did you ever know him as Krevitsky?

Mr. FOREMAN. I never did.

Mr. ARENS. When were you last in the Polish Embassy or Polish consulate here in the United States?

Mr. FOREMAN. I do not know. I do not remember, but certainly not within—I may have gone and talked to them.

Mr. KEARNEY. May I suggest that I have watched counsel here and counsel knows the rules of the committee, and I do not think it is up to the counsel to propound questions to our own counsel here. Let the witness answer the questions.

Mr. BOUDIN. I did not answer any questions and I do not have the slightest idea as to the answers. I just think the question is irrelevant. The witness has answered it.

Mr. FOREMAN. I do not remember, I have been to the Polish Embassy, but as far as I can remember not within the last 5 years.

Mr. ARENS. Are there any other Iron Curtain embassies in which you have been in contact in the last few years, in Washington?

Mr. FOREMAN. No.

Mr. ARENS. Have you ever been to the Soviet Embassy?

Mr. FOREMAN. Not in the last few years. I have been to many receptions at the Soviet Embassy in the 1930's.

Mr. ARENS. You were one of the guests, were you not, at least on the guest list of the Soviet Embassy in 1948?

Mr. FOREMAN. I do not remember, I do not think I was there, but I may have been.

Mr. ARENS. Now, I lay before you a photostatic copy of the Washington Times-Herald for November 8, 1948, "Red-Letter Festivities, Soviet Embassy Celebration Marks Date of Revolution," listing a number of guests who were greeting the Soviets at their Embassy in celebration of the revolution including a Dr. Clark Foreman. I ask you whether that refreshes your recollection.

Mr. FOREMAN. Well, it does not, but does this indicate something wrong, to go to the Soviet Embassy? It is my understanding that very distinguished Washingtonians from the Government have.

Mr. ARENS. You do not feel at all wrong about it, and can you tell us if you went there?

Mr. FOREMAN. I am not going to tell you something that I do not recall.

Mr. ARENS. If you do not recall, just say you do not recall and we will go to another subject.

Mr. FOREMAN. I do not recall, and I do not deny it.

Mr. ARENS. I lay before you a photostatic copy of a document, the New York World-Telegram, Thursday, September 21, 1944, respecting a dinner held in New York City, in honor of Ferdinand Smith. Among those participating is a Clark Foreman, secretary of the National Citizens Political Action Committee, and I will ask you, first of all, whether or not you know Ferdinand Smith?

Mr. FOREMAN. I knew him at that time.

Mr. ARENS. Did you know him as a Communist?

Mr. FOREMAN. I did not. As a labor leader.

Mr. ARENS. Have you since learned he has been identified as a Communist agent?

Mr. FOREMAN. I have since learned that he has been deported as a Communist, I think.

Mr. ARENS. Have you severed your relations with him?

Mr. FOREMAN. I never had any relationship. I just knew him as a labor leader.

Mr. ARENS. How did you know him as a labor leader? Did you read about him in the paper?

Mr. FOREMAN. I was working with the Progressive or the National Citizens Political Action Committee, and that was working with the CIO Political Action Committee and he was a CIO labor leader.

Mr. ARENS. When did you last have an association or contact with him?

Mr. FOREMAN. As far as I can remember that was the last time.

Mr. ARENS. Who invited you to this dinner honoring him?

Mr. FOREMAN. I do not know.

Mr. ARENS. While you were at that dinner in New York City honoring this Communist, was Earl Browder there?

Mr. FOREMAN. Mr. Chairman, there were a thousand people at that dinner and Mr. Browder, I suppose, was there because I remember reading that article, and why the World-Telegram picked me and Earl Browder out to mention them of all of the thousand people, I have no way of knowing, but I had not met Mr. Browder at that time.

Mr. ARENS. You, of course, did not know at that time that Ferdinand Smith was a Communist agent?

Mr. FOREMAN. I did not.

Mr. ARENS. Did I understand you to say you did not see Browder or meet Browder or visit with him at this dinner for Ferdinand Smith?

Mr. FOREMAN. That is what I said.

Mr. ARENS. You were an acquaintance of Browder?

Mr. FOREMAN. I was not.

Mr. ARENS. You had visited with Browder?

Mr. FOREMAN. I have not.

Mr. ARENS. You testified here earlier today that Browder came to see you at one time when you were head of the Southern Conference for Human Welfare, did you not?

Mr. FOREMAN. I did not.

Mr. ARENS. Have you ever had a conversation in your life with Earl Browder?

Mr. FOREMAN. Yes, sir.

Mr. ARENS. Where did that take place and when?

Mr. FOREMAN. In New York, in 1953, 10 years or 9 years after that article.

Mr. ARENS. And who initiated that conversation?

Mr. FOREMAN. Mr. Browder, and he came to my office asking for help, and he said the Communists would not help him because he resigned or was thrown out of the party and the anti-Communists would not help him because he would not become a stool pigeon and he had no one to help him, and would the Emergency Civil Liberties Committee help him. I said we would because we were not interested in people's political affiliations but only interested in their constitutional rights and we do not ask people what they believe or what they have done. We say if you are a citizen of the United States the Constitution gives you certain protection.

Mr. SCHERER. Is that the only test? If they are a traitor to this country, would you help them?

Mr. FOREMAN. If they are in jail, presumably they would be in jail if they were traitors, and I do not undertake to try people. I think the courts are the proper tribunal, and not congressional committees and not civil liberties' organizations.

Mr. SCHERER. You said you would help them just if they were a citizen of the United States, no matter who they were.

Mr. FOREMAN. I would not if they were in jail, and criminals, I would not help them get a passport. But if they were free American citizens not in wartime, I would help them get their full constitutional rights regardless of their political beliefs.

Mr. SCHERER. Even if they were members of the Communist conspiracy?

Mr. FOREMAN. I do not know what you mean by that, so I am not going to answer that.

Mr. SCHERER. Even if they were agents of the Communists?

Mr. FOREMAN. If they were saboteurs, they would presumably be convicted by our Department of Justice. We have got the largest secret police that we have ever had and we have spent millions if not billions of dollars on it and if they cannot find the saboteurs, I certainly cannot.

Mr. ARENS. The secret police is the FBI?

Mr. FOREMAN. Of course you are right.

Mr. ARENS. That is what you are saying, and I am asking you to interpret what you mean by "the secret police."

Mr. FOREMAN. Of course, it is, and I would be glad to tell you that I agree with the New York Daily News on the fact that this needs to be handled.

Mr. SCHERER. You know Paul Robeson is a member of the Communist Party?

Mr. FOREMAN. I do not.

Mr. SCHERER. You do not know that?

Mr. FOREMAN. I certainly do not, but I will be glad to put in the record here an editorial from the New York Daily News, saying how Mr. Hoover needs a master and how the FBI is getting completely out of hand, and violating American rights. If you would be interested in that in your record I think it would be a very good thing.

Mr. ARENS. Is it your position that the defense of the civil liberties of the Communists is the first line in the defense of the liberty of all Americans? Is that the essence of your position?

Mr. FOREMAN. No; that is a distortion. I would say that the civil liberties of everybody is indivisible, and it is also the most unpopular group that have to be defended in order to protect the rest of the population.

Mr. ARENS. Did you not head a panel which adopted a resolution, a panel of the organization with which you were then chairman, that the defense of the civil liberties of Communists is the first line of defense of the liberties of all Americans?

Mr. FOREMAN. Let me see this before I answer it.

(A document was handed to the witness.)

Mr. FOREMAN. It says here, this is from the Washington Star, of February 13, February 13, 1949, and it says:

However much any of us individually may disagree with the political philosophy of communism, the defense of the civil liberties of Communists—and that is quite different from saying the defense of communism—the defense of the civil liberties of Communists is the first line in the defense of liberties of all Americans because they are the group most oppressed.

Mr. SCHERER. You listened to the testimony this morning of Paul Robeson; did you not?

Mr. FOREMAN. Yes, sir.

Mr. SCHERER. You heard the statements that he made against the United States; did you not?

Mr. FOREMAN. Well, I have heard what he said.

Mr. SCHERER. Now, after listening to the testimony this morning, do you feel that your organization should assist him in obtaining a passport?

Mr. FOREMAN. I think it would be a patriotic duty, and furthermore, I think that the country, the foreign policy of this country will suffer much more from what happened to Paul Robeson this morning than if you gave him a passport.

The CHAIRMAN. May I ask a question at this point? Did your organization ever attempt to protect civil liberties of anyone other than Communists?

Mr. FOREMAN. Yes, we are protecting a Catholic priest right at the moment, socialized workers, and Trotskyites, and we do not ask the political affiliations. We ask if they are American citizens, and entitled to the constitutional rights, and if we think they have got something that we can help them on, we try to do it.

Mr. ARENS. The Congress of the United States after extensive study and investigation of this problem of communism, passed the Internal Security Act which, among other things, make a finding that the Communist Party is not a party and that it is a conspiracy. Do you concur in the finding?

Mr. FOREMAN. Who did?

Mr. ARENS. The Congress of the United States.

Mr. FOREMAN. I do not know anything about it, and I do not know that they have made such a finding and I do not concur, and I think that when they used the word "conspiracy" in a matter of self-defense, it is absolutely a travesty on the English language.

Mr. ARENS. But you do not feel the Communist Party is a conspiracy?

Mr. FOREMAN. I do not know what you mean by it.

Mr. ARENS. Did you in your group, the Emergency Civil Liberties Committee, have a celebration here a while back for Corliss Lamont?

Mr. FOREMAN. Oh, yes, for his book; not a celebration for him but for his book.

Mr. ARENS. For his civil liberties fight?

Mr. FOREMAN. Wait a minute. Are you talking about the dinner?

Mr. ARENS. Yes

Mr. FOREMAN. In 1952?

Mr. ARENS. Yes.

Mr. FOREMAN. Yes.

Mr. ARENS. Did you know at that time that he had been identified by responsible people under oath before congressional committees as a member of the Communist conspiracy?

Mr. FOREMAN. I didn't know it. I don't believe it. Anybody who did, in my opinion is a liar, a stool pigeon, and a stooge trying to cause trouble. I knew Corliss Lamont for 30 years.

Mr. ARENS. You are sure he is not a Communist?

Mr. FOREMAN. I think he is as loyal and patriotic as anybody in this room.

Mr. SCHERER. I take exception to that. He might be as loyal and as patriotic as you are.

Mr. FOREMAN. He is just as loyal and as patriotic as anybody in this room, to my belief. I don't believe there is anybody working harder for the preservation of the Constitution of the United States than Corliss Lamont.

Mr. SCHERER. Like Paul Robeson?

Mr. FOREMAN. Are you trying to speak for me?

I said Corliss Lamont.

Mr. ARENS. Back about a year or so ago, this committee, the House Committee on Un-American Activities, held hearings in New York City during which quite a number of witnesses appeared.

Did your organization, after the House Committee on Un-American Activities held its hearings in New York City, have a celebration for those persons who had been identified as members of a conspiracy?

Mr. FOREMAN. Well, that is a little bit of a distortion, Mr. Arens. We had what I would call a civil-liberties meeting to defend the Constitution of the United States and to prevent this committee from engaging in blacklisting people in New York. We are determined to continue to defend the civil liberties of all people and not to allow this committee to tell people who can and who cannot act, perform, on the radio, television and so forth.

We consider it our loyal patriotic American duty to resist you as long as we are free to do so.

The CHAIRMAN. What was the celebration?

Mr. ARENS. Did the celebration that your committee had in New York City following hearings of this committee have as the guests of honor those persons who had been identified under oath by responsible witnesses before this committee as members of the Communist conspiracy?

Mr. FOREMAN. We had a number of—

Mr. ARENS. Can you not just answer the question? Were they or were they not guests of honor?

Mr. FOREMAN. I cannot because I don't believe I agree with your interpretation of "responsible." I don't think you mean by responsible what I mean.

The CHAIRMAN. Were the principal guests at the celebration those persons who had been identified by witnesses under oath as being members of the Communist conspiracy?

Mr. FOREMAN. Not to my knowledge that they were identified. As far as I know, there were a number of actors called before your committee and we felt that their resistance was a patriotic service regardless of their political opinions.

The CHAIRMAN. Even though witnesses at the same hearing testified that they attended Communist Party meetings with them?

Mr. FOREMAN. Even though you paid 10 stool pigeons——

The CHAIRMAN. This committee has never paid a dollar to anyone.

Mr. FOREMAN. But you call people that the Department of Justice pays.

The CHAIRMAN. No, the Department of Justice has never paid anyone to commit perjury.

Mr. FOREMAN. Manning said he does.

Mr. ARENS. Where does the Emergency Civil Liberties Committee——

Mr. FOREMAN. Manning Johnson said he commits perjury for the Department of Justice.

The CHAIRMAN. He never said anything of the kind.

Mr. ARENS. From where does the Emergency Civil Liberties Committee, of which you are a director, receive its instructions?

Mr. FOREMAN. Just these meetings such as you described, which you call a celebration, but I think that would be a little premature because we think the fight is too hard to call it a celebration. We are having meetings trying to point out the abuses of individual rights of the citizens and are trying to get more people concerned about the Constitution and the Bill of Rights and we ask them to support our committee in its fight with these test cases on passports, and so forth.

Mr. ARENS. Who, beside yourself, is employed by the committee?

Mr. FOREMAN. The number of people?

Mr. ARENS. Yes.

Mr. FOREMAN. Four or five. Do you want me to count them?

Mr. ARENS. Give us their names.

(The witness conferred with his counsel.)

Mr. FOREMAN. Bowen Smith, Mrs. McEvoy——

Mr. ARENS. Let us have her full name.

Mr. FOREMAN. Muriel McEvoy and Mr. Lou Becker and Mrs. Edith Tiger. We have a part-time worker, but I have forgotten the name.

Mr. ARENS. Does your committee have a branch or an affiliate organization out on the coast?

Mr. FOREMAN. No; we don't have any affiliations except in New Jersey.

Mr. ARENS. What is the organization which is your affiliate in New Jersey?

Mr. FOREMAN. The New Jersey Division of the Emergency Civil Liberties Committee.

Mr. ARENS. Can you tell us who is head of that?

Mr. FOREMAN. Prof. Broadus Mitchell, Rutgers University.

Mr. ARENS. You started to tell us a moment ago about the organizations with which you cooperate?

Mr. FOREMAN. We don't have any other affiliates.

Mr. ARENS. Tell us the cooperative organizations.

Mr. FOREMAN. We cooperate with any organization that we feel is supporting the Constitution of the United States.

Mr. ARENS. Do you cooperate, then, with the Communist Party?

Mr. FOREMAN. No, we have not.

Mr. ARENS. Do you know that the Communist Party is not supporting the Constitution of the United States?

Mr. FOREMAN. Well, I have reason to believe that they do not share our views of civil liberties.

Mr. ARENS. A slight divergence there.

That will conclude the staff interrogation, Mr. Chairman.

Mr. KEARNEY. You said you cooperated with various organizations; do you cooperate with any of the patriotic organizations in the country?

Mr. FOREMAN. Yes, we have repeatedly written letters to all of them, urging exactly the same kind of defense of our constitutional rights.

Mr. KEARNEY. Do you cooperate with the American Legion and the Veterans of Foreign Wars?

Mr. FOREMAN. Yes.

Mr. KEARNEY. In actual cases?

Mr. FOREMAN. I beg your pardon?

Mr. KEARNEY. In actual cases?

Mr. FOREMAN. What do you mean? I don't want to mislead you.

Mr. KEARNEY. I do not want you to mislead me.

Mr. FOREMAN. You said "actual cases."

Mr. KEARNEY. What do you mean by "cooperation"? You simply write letters to them?

Mr. FOREMAN. And urge them to take certain actions.

Mr. KEARNEY. Do they cooperate with you?

Mr. FOREMAN. The American Legion, to my best knowledge, I believe has not.

Mr. KEARNEY. How about the Veterans of Foreign Wars?

Mr. FOREMAN. Well, there was something that they did—I don't know.

Mr. KEARNEY. As a matter of fact, none of those veterans' organizations cooperate with your organization, do they?

Mr. FOREMAN. I wouldn't say that. I wouldn't say that. I think that undoubtedly some of them would approve of a great deal of what we do.

I would like to go back to this question, Mr. Chairman.

The CHAIRMAN. There is no question.

Mr. ARENS, do you have anything further?

Mr. ARENS. No, sir.

Mr. FOREMAN. May I ask the purpose again of the inquiry so that I can know about the use of the passport and whether or not my passport will be returned if I give it?

You seem to say that it would and then I felt that you were not quite sure. I would also like to know why the committee wants it and why it will not accept my offer to let it examine it and not impound it.

It is the fact that I don't want it impounded because I don't want to be deprived of its use. Here is the thing:

I had a passport—

The CHAIRMAN. You will never need this passport, Mr. Foreman.

Mr. FOREMAN. I need it now, Mr. Chairman, but it does sound as if you are threatening.

The CHAIRMAN. I am not threatening you; I am merely expressing my opinion. I heard Professor Boudin prompt you to say it sounds like a threat.

Mr. BOUDIN. Yes, it does sound like a threat.

The CHAIRMAN. I heard you.

Mr. FOREMAN. Mr. Chairman, the point is I would like to know whether you will return the passport so I can use it, whether or not you think I will need it.

It's my understanding, Mr. Chairman——

The CHAIRMAN. Any questions?

Mr. KEARNEY. No questions.

The CHAIRMAN. Any questions, Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. FOREMAN. I am perfectly willing to tell the committee that I have not used the passport; that it is exactly the way I got it from the State Department, but I don't know when I may need it.

The CHAIRMAN. Just a minute.

You have been instructed to produce this passport, served with a subpoena duces tecum under which you were required to produce it. Now I tell you that if you do not comply with this subpoena, you are going to be cited for contempt. We have no disposition to destroy your personal property.

I do not know what the investigators or the counsel have in mind. I do not know why they want to see it but you were subpoenaed to produce it.

Mr. FOREMAN. All I ask you, Mr. Chairman——

The CHAIRMAN. Under that subpoena you are directed to produce the passport.

Mr. FOREMAN. I have produced it, Mr. Chairman.

The CHAIRMAN. Where is it?

Mr. FOREMAN. I have it here with me.

The CHAIRMAN. Give it to Mr. Arens and let him look at it.

Mr. FOREMAN. I want to be assured that it will be returned because I understand that last week you took a passport——

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. You are excused.

Mr. SCHERER. Mr. Chairman, I move the witness be cited for contempt.

The CHAIRMAN. Do I hear a second?

Mr. KEARNEY. Second.

The CHAIRMAN. It has been properly moved and seconded that the witness be cited for contempt. All in favor?

Contrary?

The ayes have it.

The recommendation will be made to the House in proper order.

Who is your next witness?

Mr. ARENS. Mr. Leonard B. Boudin.

The CHAIRMAN. Will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOUDIN. I do.

**TESTIMONY OF LEONARD B. BOUDIN, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. BOUDIN. Leonard Boudin, attorney, 25 Broad Street, New York 5, N. Y.

Mr. ARENS. You are appearing today, Mr. Boudin, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BOUDIN. Yes, I am, Mr. Arens.

Mr. ARENS. You are represented by counsel?

Mr. BOUDIN. Yes, I am.

Mr. ARENS. Will counsel kindly identify himself for the record?

Mr. RABINOWITZ. Victor Rabinowitz, New York.

Mr. ARENS. Now this subpoena is a subpoena duces tecum, requiring you to produce certain documents. Do you have custody and control of those documents?

Mr. BOUDIN. No.

Mr. ARENS. Where are they?

Mr. BOUDIN. They have been returned to the State Department with a request by me for an extension of my passport. The matter is now the subject of litigation in the courts of this circuit.

Mr. ARENS. Did I understand you to say that you are an attorney practicing law in the District of Columbia?

Mr. BOUDIN. I am an attorney practicing law in the State of New York, but I am admitted to practice before the court of appeals of this circuit, before the United States Supreme Court and other courts.

You may have misunderstood me because I said that I have at the present time a suit pending in the courts of this circuit.

Mr. ARENS. Are you admitted to practice law in the District of Columbia?

Mr. BOUDIN. I am admitted to practice law before the court of appeals in the District of Columbia, not, of course, in the District courts, for which I think residence is required.

Mr. ARENS. Now I lay before you—

Mr. BOUDIN. I have been, however, I may say, admitted on motion in several cases for the purpose of the cause alone to argue various cases in the District of Columbia in the district courts here, but before you ask your question, may I make a statement addressed to the chairman or the acting chairman of the committee with respect to the jurisdiction of the committee, Mr. Doyle?

(Representative Walter left the hearing room.)

Mr. DOYLE (presiding). This is not the proper forum to raise the question of jurisdiction; you know that.

Mr. ARENS. I lay before you a document which has been certified to this committee.

Mr. BOUDIN. May I continue for just a second, Mr. Doyle?

I have a statement which I should like to hand to the committee, not to raise the point of jurisdiction.

Mr. DOYLE. You know we do not claim that we are a court.

Mr. BOUDIN. I have a right to have the committee determine in the first instance its jurisdiction and I therefore want the opportunity

to state for the record my objections to the jurisdiction of the committee.

Now, if I can't do so orally, then I want to hand the committee a written statement for this record here of my objections to its jurisdiction.

(Representative Walter returned to the hearing room.)

The CHAIRMAN. You can leave your statement.

Mr. BOUDIN. I now hand it to counsel for the committee.

Mr. ARENS. I lay before you a certified copy of a document, certified to this committee from the clerk of the United States Court of Appeals for the District of Columbia, being a photostatic copy of an oath taken by a number of persons before their names appeared on the roll of attorneys of the court of appeals of the area.

The oath reads as follows:

I do solemnly swear (or affirm) that I will demean myself as an attorney and counselor of this court, uprightly, and according to law, and that I will support the Constitution of the United States. So help me God.

There are a number of signatures appearing under date of June 14, 1951, with the signature of Leonard Boudin. I ask you if that is your signature?

Mr. BOUDIN. Yes, that is my signature.

Mr. ARENS. Did you take that oath which I have just recited?

Mr. BOUDIN. I did. I don't recognize the jurisdiction of the committee to investigate this matter. This is a matter for the court.

I have no hesitation in saying that I have taken the oath and have carried it out to the best of my ability.

Mr. ARENS. At that time when you took that oath to support the Constitution of the United States, June 14, 1951, were you then a member of an organization dedicated to the overthrow of the Constitution of the United States?

Mr. BOUDIN. The question of what a member is is a very complicated one, as you know from the decisions. If you want a categorical answer, since apparently you are not prepared to identify the organization, my answer is No. Of course I wasn't a member.

Mr. ARENS. Were you at that time a member of the Communist Party?

Mr. BOUDIN. Now you come down to the question that I asked you before, or that I suggested before. The courts in at least half a dozen cases, including the Gold, Fisher, Remington and Bridges cases, have indicated the varying criteria for the determination of what constitutes membership in the organization which you have referred to as the Communist Party.

Would you be good enough to indicate what it is that you regard—

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

The CHAIRMAN. You are directed to answer the question whether or not on that date you were a member of the Communist Party.

Mr. BOUDIN. And while objecting to the ruling of the Chair and to the refusal of counsel and the Chair to clarify a question inherently ambiguous, my answer is "No," I was not a member.

Mr. ARENS. Were you at any time a member of the Communist Party?

Mr. BOUDIN. With the same qualifications and reservations, I state that the committee has no jurisdiction and I say that I have never been

a member of the Communist Party. I am not a member of the Communist Party at the present time and I don't expect to be one.

Mr. ARENS. At the time you took that oath, were you under Communist Party discipline?

Mr. BOUDIN. Now I think you are under an obligation to tell me what you think Communist Party discipline means.

Mr. ARENS. Were you receiving orders and directions from the Communist Party?

Mr. BOUDIN. I have never taken orders or directions from anybody, including the Communist Party, and I don't expect to do so.

Mr. ARENS. Were you under Communist Party discipline?

Mr. BOUDIN. I don't know. I told you before I don't know what that meant and I asked you to clarify it. Do you know what that means?

(Representative Walter left the hearing room.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. BOUDIN. The Chair is telephoning.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be directed and ordered to answer the question.

Mr. DOYLE. (presiding). I direct you—

Mr. BOUDIN. The chairman is the acting chairman. I pointed out that his conception of what constitutes "discipline" may be very different from the average person and I asked that he clarify it.

Mr. DOYLE. I wish to state that the acting chairman heard the question and your statement and you are directed to answer the question.

Mr. BOUDIN. My answer is that I have never been under the discipline of the Communist Party of the United States or of any political party, and so far as I can tell, since my majority, under the discipline of anyone.

Mr. ARENS. Have you ever been a member of the Young Communist League?

Mr. BOUDIN. My answer with respect to the Young Communist League is the same as my answer with respect to the Communist Party. I assume that you are not prepared to describe what membership is or to define the Young Communist League; am I correct?

Mr. ARENS. Have you ever been a member of the Young Communist League?

Mr. BOUDIN. In the absence of a clarification by you and recognizing that what you may consider membership may not be membership to the average person, in view of the number of people you have called Communists, I may say that I have never been a member of the Young Communist League or of the Communist Party, period.

Mr. ARENS. Have you ever paid dues to the Young Communist League?

Mr. BOUDIN. I suppose that being a member requires the payment of dues and one could hardly pay dues if he is not a member. No, I haven't paid dues.

Mr. ARENS. Have you ever made any financial contributions to the Young Communist League?

Mr. BOUDIN. I have no recollection of having made financial contributions to the Young Communist League, and if you have anything that you think will refresh my recollection as to the making of such

contributions, financial or otherwise, or as to what the Young Communist League is, please hand over whatever may refresh my recollection and I will try to be a little clearer.

Mr. ARENS. Have you ever made any financial contributions to the Communist Party?

Mr. BOUDIN. My answer is exactly the same and I resent your asking the question in view of the fact that you don't have the slightest degree of proof, you are shooting in the dark and you are making the same scandalous statements that the State Department made about me. What is more, you are making it in regard to a matter presently in the courts and that this committee has no jurisdiction over.

Mr. ARENS. Do you have information—

Mr. BOUDIN. Excuse me.

Mr. ARENS. Mr. Boudin, will you tell us whether or not you have ever been connected with Acros-American, Inc.?

Mr. BOUDIN. What?

Mr. ARENS. A-c-r-o-s-American.

Mr. BOUDIN. Do you mind explaining what that is?

Mr. ARENS. Do you have any recollection of such an organization?

Mr. BOUDIN. Do you mind spelling it again?

Mr. ARENS. A-c-r-o-s-American.

Mr. BOUDIN. I hope you are not asking a question without having any basis for it, as you did before, Mr. Counsel.

I have no recollection of not only of any connection with the organization that you call Acros-American with one "s" but as to what that means or as to whether such an organization exists.

Since I am nearly 44 years of age, it is conceivable that some such organization existed and that I had some connection with it, but I will have to have clarification from you on that point.

Mr. ARENS. Have you ever had any connection with Amtorg, A-m-t-o-r-g?

Mr. BOUDIN. I do not think that I have had any connection with Amtorg.

Mr. ARENS. Have you ever represented Amtorg?

Mr. BOUDIN. No, no. I should say that I was, of course, a clerk and then a lawyer in the law firm of Mr. Louis B. Boudin, my uncle, a celebrated constitutional lawyer, who died in 1952, and that it is conceivable that his firm may have represented Amtorg, but I have no recollection of it. I merely mention this because this was a question also put to me indirectly by the State Department.

(Representative Walter returned to the hearing room.)

Mr. ARENS. Now, in June of 1954, you received a passport, did you not, sir?

Mr. BOUDIN. I did.

Mr. ARENS. Where did you go on that passport?

Mr. BOUDIN. Mr. Chairman, may I ask for a ruling as to whether a matter that is presently the subject of litigation in the court of appeals of this circuit is a matter that counsel has a right to inquire into, because I object to it.

The CHAIRMAN. The question of where you were in 1954—

Mr. BOUDIN. You happen to be in error, it is in litigation at the present time, everything to do with the attainment of the passport and

its use and the request to travel is now in litigation before the court of appeals of this circuit.

The CHAIRMAN. On the question of a renewal?

Mr. BOUDIN. On the question of a renewal of the passport, all of these matters are now sub judice and I ask for a ruling as to whether this committee is prepared to investigate into a matter now before the courts.

The CHAIRMAN. You can answer the question.

Mr. BOUDIN. What you mean is I am required to answer?

The CHAIRMAN. Yes.

Mr. BOUDIN. Will you repeat the question?

Mr. ARENS. Where did you go on your passport that you procured in June of 1954?

Mr. BOUDIN. I went to Europe.

Mr. ARENS. Where in Europe?

Mr. BOUDIN. I went to France, Netherlands, and England.

Mr. ARENS. What was the purpose of your trip?

Mr. BOUDIN. The purpose of the trip was the purpose stated in the application for the passport, which I assume you have before you, namely, to carry out my responsibilities as a member of the bar to clients who were then engaged and who expected to be engaged in litigation with the Department of State and with other agencies of the Federal Government—allow me to finish—such litigation being both civil and criminal.

Mr. ARENS. And who were—

Mr. BOUDIN. Just a minute, I am not through.

Mr. ARENS. I am sorry; I beg your pardon.

Mr. BOUDIN. Very well. The litigation was specifically stated to the Department of State as the reason for my going and I met with my clients and discussed the matters which were the subject of my trip as I have indicated to the United States District Court for the District of Columbia in the case now pending in the court of appeals, as I have indicated to the court of appeals.

This merely confirms my statement that the matter is sub judice and beyond the jurisdiction of this committee.

Mr. ARENS. Have you finished your response to the question?

Mr. BOUDIN. Yes; I have.

Mr. ARENS. Now, will you answer this question?

Who are the people for whom you went to Europe?

Mr. BOUDIN. Well, I will, if the chairman directs me to answer, state the people for whom, as counsel put it, I went to Europe, but it seems to me again that that moves into the area of the confidential relationship between attorney and client.

The CHAIRMAN. You are not being asked anything about the relationship whatsoever; you are merely being asked who they are.

Mr. BOUDIN. Well, who they are certainly is the most important part of the relationship between a client and an attorney, and I therefore object to the question.

The CHAIRMAN. You can answer the question. You are directed to answer the question.

Mr. BOUDIN. Well, I met with the defendant in a criminal case now pending in the District Court for the Southern District of New York, which is entitled *United States* against *Leff*, the defendant being Mr. David Leff.

I also met with his counsel, that is, his local counsel, Mr. Jacques Mercier, a leading member of the French bar who represented Mr. Leff locally.

Mr. ARENS. All right, sir, and who else?

Mr. BOUDIN. I also met in an attempt to settle a pending litigation which was at a various stage before the International Organizations Employees Loyalty Board, the litigants being employees of UNESCO in Paris. In that connection, I met with Mr.——

Mr. ARENS. Could you give us a little better identification of the employees of UNESCO? Were they the employees discharged by UNESCO?

Mr. BOUDIN. These are employees, if you would like the record to show who they were, who were discharged by UNESCO as a result of the unlawful interference of, I regret to say, an agency of the United States Government and their cases had been in certain stages before the International Organizations Employees Loyalty Board, and that board ultimately held that the discharges had been unlawful and in violation of the constitution of UNESCO.

Mr. ARENS. Were they discharged on loyalty grounds?

Mr. BOUDIN. Excuse me.

The precise reasons for the discharges, of course, I can't answer, but from your point of view I suppose it would be on loyalty grounds. Actually, they contested the jurisdiction of the International Organizations Employees Loyalty Board and in that contest I think for the most part they were upheld by a quasi-judicial tribunal, the administrative tribunal of the International Labor Organization.

Now, in that connection, in an attempt to settle that litigation and solve these very important problems, I met with Mr. Luther Evans, the Director-General of UNESCO, in Paris.

Mr. ARENS. Was there anyone else who was responsible for your trip to Europe?

Mr. BOUDIN. You really want me to go through all the clients whom I met in Europe?

Mr. ARENS. No; you have used that as a group, UNESCO people. The man whom you represented in this criminal proceeding; was there another crime?

Mr. BOUDIN. There were a number of UNESCO people. I think my client, in fact, was the UNESCO staff association, the organization that represented virtually all of the staff members of UNESCO as well as a number of individuals who were involved in the litigation.

Mr. Leff was involved in the same litigation. I think that Mr. Peter Duberg was also involved in the litigation and there are a number of other individuals whose names I don't recall at the moment.

I met not only with Evans but with the executive committee of the staff association of UNESCO and with the officers of the staff association and with other counsel.

Mr. ARENS. Tell us, please, who among the members of the Communist Party did you confer with while you were in Europe?

Mr. BOUDIN. Well, the remark is of course improper unless you have some basis for asking the question, in which case the basis ought to be stated.

I watched the committee make slanders against my clients repeatedly and not be able to answer. You know very well——

Mr. ARENS. We have been maligned here by experts.

Tell us who in the Communist Party you conferred with in Europe?

Mr. BOUDIN. You are maligning me. So far as I know, this question I assume excludes any particular clients since obviously my knowledge of a client's political views or affiliations would be the result of a confidential privilege; is that not so?

Mr. ARENS. On the assumption that membership in the Communist conspiracy is a political activity.

Mr. BOUDIN. Whether membership is a political activity, it is something which can be the subject of a confidential relationship.

Leaving clients aside, and with respect to his membership, I can neither deny nor attest, in view of the confidential privilege. I can't say that I met with anybody who was a member of the Communist Party or who falls within the category of what you call, without defining it, the Communist conspiracy.

I say again that I object to the question being put unless you are able to suggest that there is the slightest basis for a question of this kind.

Mr. ARENS. When you made your application for passport—

Mr. BOUDIN. I haven't finished my answer.

Mr. ARENS. We have enough.

Mr. BOUDIN. I have not finished my answer, Mr. Chairman, and I am not content to have counsel tell me what is enough. I am the witness, not he.

May I finish my answer?

Mr. ARENS. When you made your application for passport in June of 1954, did you have a conference with the State Department respecting the issue as to whether or not you had ever been a member of the Communist Party?

Mr. BOUDIN. Mr. Chairman, am I going to be permitted to finish my last answer?

The CHAIRMAN. Yes, go ahead and finish.

Mr. BOUDIN. I said that it seemed to me that I have a right not to have counsel address hypothetical questions to me with respect to meetings with people in the Communist conspiracy unless counsel has some basis for trying out the shotgun operation.

I think he should be directed to ask questions which he thinks in good faith have some basis in fact and which he is able to produce some evidence for.

Mr. ARENS. Then, tell us—

Mr. BOUDIN. May I have the chairman act upon my request to him?

The CHAIRMAN. You can answer the question. You merely expressed your own belief about something.

Mr. ARENS. Tell us, if you please, sir, when you had your consultation with the State Department pursuant to your application for a passport, did you refuse to express to the State Department whether or not you had been a member of the Communist Party prior to June 3, 1954?

Mr. BOUDIN. Well, Mr. Chairman, since I don't want to object with respect—Mr. Chairman?

The CHAIRMAN. What is the question?

Mr. ARENS. I just asked him, Mr. Chairman, if, when he had his consultation with the State Department in anticipation of the receipt of his passport in 1954, if he refused to tell the State Department

whether or not he had been a member of the Communist Party prior to June 3, 1954.

Mr. BOUDIN. And my question to you, Mr. Chairman, was this: I don't want—

The CHAIRMAN. You are directed to answer the question.

Mr. BOUDIN. May I indicate something that I think will facilitate the hearing?

I don't want to object to each question. Do I understand that you are ruling on my objection that these are matters which are sub judice and are not pertinent to the investigation?

The CHAIRMAN. I am not making any ruling at all.

Mr. BOUDIN. I must have a ruling.

The CHAIRMAN. You have been directed, let us put it that way.

You are directed to answer this question.

Mr. BOUDIN. Very well.

The question, I think—would you repeat it?

Mr. ARENS. For the third time.

Mr. BOUDIN. Don't describe the third time.

Mr. ARENS. For the fourth time now, the question is:

When you had your consultation with the Department of State when you were trying to get this passport to go to Europe, did you refuse to tell the Department of State whether or not you had been a member of the Communist Party prior to June 3, 1954?

Mr. BOUDIN. I told the Director of the Passport Office that it was none of her business.

Does that answer your question?

Mr. ARENS. I think it does; yes, sir.

Mr. BOUDIN. Very good.

Mr. KEARNEY. I think from the arrogant witness on the stand, that that is a very good answer.

Mr. BOUDIN. Nothing arrogant about the witness who is called here in violation of the principle of separate powers.

Mr. ARENS. Tell this committee, if you please, about your professional activities in the Jefferson School of Social Science in New York City.

Mr. BOUDIN. That is a comment of counsel.

Mr. ARENS. Would you read the question, please?

(The pending question was read by the reporter.)

Mr. BOUDIN. Despite the form of the question, in order to save time, let me say this:

I was not, as the committee suggested before, a professor of the Jefferson School.

Mr. SCHERER. Did you teach in the Jefferson School?

Mr. BOUDIN. I am not through, sir; I am sorry. I said I was going to cut the answer short. I gave as a guest lecturer a series of lectures on the very unpolitical subject of labor law.

Mr. ARENS. Where?

Mr. BOUDIN. At the Jefferson School.

Mr. ARENS. When?

Mr. BOUDIN. Let me finish—including the wage and hour law.

Mr. ARENS. I beg your pardon.

Mr. BOUDIN. Including the National Labor Relations Act and, as I say, other nonpolitical subjects. I think that I gave this series of

lectures in 1946 or 1947, but I don't recall the precise date. If the committee can refresh me, I will accept its statement.

Mr. ARENS. Have you concluded your answer?

Mr. BOUDIN. Yes.

Mr. ARENS. Kindly tell us who invited and made arrangements for you to teach at the Jefferson School of Social Science in 1947?

Mr. BOUDIN. I do not recall who it was. It was obviously some member of the staff of the school that asked me.

Mr. KEARNEY. That Jefferson School is the Communist Party school in New York City; is it not?

Mr. BOUDIN. I didn't regard it as the Communist Party school in New York.

Mr. ARENS. Did you also invite other persons to lecture at the school?

Mr. BOUDIN. Yes, I did.

Mr. ARENS. Who?

Mr. BOUDIN. Well, now, let me see.

(The witness conferred with his counsel.)

I don't recall at the moment more than that I invited some of my friends who specialized in the field of labor law. I don't recall at the moment who they were; this is 7 years ago, but if you can refresh my recollection?

Mr. ARENS. Do you recall inviting any persons to participate in the school as lecturers who were known by you to be members of the Communist Party?

Mr. BOUDIN. No. I do not—it's very difficult for me to give you a categorical answer since I don't recall specifically who they were but I should say now that it's my opinion that I did not invite people who are members of the Communist Party or who were known to be as such, and in any event, the only criterion for the selection of a cognate lecturer would have been the fact that they knew something about labor law.

Mr. ARENS. Have you likewise been a contributor to the New Masses?

Mr. BOUDIN. Again I would be happy to have you refresh my recollection if you are able to, and I gather you are not.

Mr. ARENS. Have you been a contributor to New Masses?

Mr. BOUDIN. I think I can answer that.

This, of course, is a subject that is also sub judice. To cut it short, I will say that I have written a number of articles for the New Masses as well as a number of other periodicals and law reviews and otherwise, all on the subject, with practically no exception, certainly none that I can think of now, of law.

The pieces for New Masses were on the subject of Mr. Justice Frankfurter's legal record, or the subject of the *Fansteel* decision in the United States Supreme Court, on the subject of Mr. Justice Cardozo, on the subject of judicial review of administrative agencies.

I don't know whether you have read any of those articles, Mr. Counsel.

Mr. ARENS. Are you identified with the Downtown Community School in New York City?

Mr. BOUDIN. I am nominally identified with it. I think I am probably a member, still a member, of the board of directors, although I have not been connected with it actively for many years. I was

one of the persons who formed it. I was its first president. It is a private nursery school in the city of New York of very high reputation.

Ask your next question.

Mr. ARENS. Thank you.

Do you know Harry Sacher?

Mr. BOUDIN. Yes, I know Harry Sacher.

Mr. ARENS. What is the nature of your acquaintanceship with him?

Mr. BOUDIN. He is a member of the bar for the State of New York.

Mr. ARENS. Do you know whether or not he is a member of the Communist Party?

Mr. BOUDIN. Allow me to finish.

Mr. ARENS. Let me help you.

Do you know whether or not he is a member of the Communist Party?

Mr. BOUDIN. Just a minute.

Mr. ARENS. We are interested in knowing about Communists. Tell me whether or not he is a member of the Communist Party.

Mr. BOUDIN. I don't have the slightest idea.

Mr. ARENS. Have you ever been identified with the National Council of Arts, Sciences, and Professions?

Mr. BOUDIN. Have I been identified with it?

Mr. ARENS. Yes.

Mr. BOUDIN. I don't think so.

Mr. ARENS. Have you ever addressed it?

Mr. BOUDIN. I believe that I did address a small forum several years ago on a subject of law, a subject which interested me, and it may have been the subject of law and civil liberties, and it may have involved the subject of wiretapping at the time. I addressed such a forum and this was one of the charges made against me by the State Department, both before and after I secured my passport.

Mr. ARENS. Have you ever been a member of the National Lawyers Guild?

Mr. BOUDIN. I am presently a member of the National Lawyers Guild.

Mr. ARENS. How long have you been a member?

Mr. BOUDIN. I have been a member for many years.

Mr. ARENS. What posts have you held?

Mr. BOUDIN. Well, I was chairman of its national committee on labor law, a position previously held by Mr. Louis B. Boudin and the Honorable Calvert Magruder, now chief judge of the first circuit court of appeals. I was a member of its executive board, and I still am a member of this executive board.

I may have held intermediate positions or been otherwise active in the committee, but I have no specific recollection, but I am perfectly willing to be refreshed on that, too.

Mr. ARENS. Are you identified with the organization of which Mr. Foreman is the director, this Emergency Civil Liberties Committee?

Mr. BOUDIN. Yes, it's a client of mine.

Mr. ARENS. You are counsel to the Emergency Civil Liberties Committee?

Mr. BOUDIN. I said it's a client of mine.

Mr. ARENS. Have you been active in its affairs?

Mr. BOUDIN. Fairly active.

Mr. ARENS. What has been your connection, if any, with the Federated Press?

Mr. BOUDIN. I don't think I have had any connection with the Federated Press.

Mr. ARENS. Have you ever represented the Federated Press or the principal officers of the Federated Press?

Mr. BOUDIN. I may have but I do not—I have a vague recollection, now that you mention it, going back possibly 15 years, of some newspaper owing it money, and in my writing a claim letter. I have no other recollection of having represented it in any legal matters but again, if you can refresh my recollection, I may correct any error that I am stating now.

Mr. ARENS. What has been your activity in behalf of the Emergency Civil Liberties Committee to obtain repeal of the Smith Act.

Mr. BOUDIN. Well, I don't think that I have. I don't think that I have done anything except possibly talk at a meeting which dealt with the Smith Act, anything very specifically dealing with the Smith Act.

Mr. ARENS. Do you know Manning Johnson?

Mr. BOUDIN. I think Manning Johnson was a client of the office in which I was employed, the office that I indicated before of my uncle, Mr. Louis Boudin. I have a recollection of him, but it's a vague one. I think it may be mainly a recollection of hearsay but I may have met him as well.

Mr. ARENS. What has been your connection with the American Russian Institute?

Mr. BOUDIN. I don't believe that I have ever had any connection with the American Russian Institute.

Mr. ARENS. You have been a sponsor of 1 or 2 of its affairs, have you not?

Mr. BOUDIN. I would doubt it but since you asked, I think you should be given a categorical answer in the negative as to its affairs, if any.

Will the chairman direct counsel to clarify what he is referring to?

Mr. ARENS. I lay before you a photostatic copy of a document. It is a program of the American Russian Institute dedicated to the American-Soviet postwar relations, held in New York City, and among the sponsors is listed Leonard Boudin.

I ask you if that refreshes your recollection of any connection you may have had with the organization.

(The witness conferred with his counsel.)

Mr. BOUDIN. What year is this, by the way?

Mr. ARENS. See if it refreshes your recollection.

Mr. BOUDIN. I am going to answer that it doesn't, but—

(The witness conferred with his counsel.)

Mr. BOUDIN. This seems to be a meeting held on October 19, 1944. My name appears just above that of my uncle, I see, on a list of sponsors. The sponsors seem to include such people as Eric Johnston.

Mr. ARENS. Will you please answer the question as to whether or not you have had a connection. Sir, you asked me not to interrupt you until you finished your response. Now do not interrupt me.

Mr. BOUDIN. I am sorry. You did interrupt me several times.

Mr. ARENS. Tell us whether or not you have been identified with the American Russian Institute.

Mr. BOUDIN. You have obviously identified me by this list of sponsors but aside from your identification of me I have no recollection of this program, no recollection of having been there and heard the distinguished governmental and other speakers from the United States Department of State and otherwise in the year 1944.

Does that answer you?

Mr. ARENS. Now I lay before you a photostatic copy of the Daily Worker, Wednesday, March 5, 1941, listing the signers of a statement defending the Communist Party, according to the headline there, listing a Leonard Boudin, of New York, and I ask you if that refreshes your recollection on any activities in which you may have been engaged in defense of the Communist Party.

(The witness conferred with his counsel.)

Mr. BOUDIN. I see that my name appears several names above that of Professor Chafee, of Harvard, and that there are hundreds of distinguished names here. Nevertheless, I have no independent recollection of having signed the statement in defense of the Communist Party but I daresay that anything that Professor Chafee would think good enough for him to sign, I would probably agree to.

If you want to ask me further about this, whether I independently approve of what is said here, I would have to read it. Do you want me to?

Mr. ARENS. No, I just want to know whether or not you had an independent recollection of signing the statement in defense of the Communist conspiracy.

Mr. BOUDIN. I have not, except that I want to comment on the distinguished names and professors and other people on that list. I think it represents a list to be proud of.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness at this time.

The CHAIRMAN. Are there any questions?

The witness is excused.

Mr. ARENS. May we have a 5-minute recess.

The CHAIRMAN. The committee will stand in recess for 5 minutes. (A short recess was taken.)

The CHAIRMAN. The committee will be in order.

Mr. ARENS. Otto Nathan, please.

The CHAIRMAN. Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. NATHAN. I do.

TESTIMONY OF OTTO NATHAN, NEW YORK CITY, N. Y., ACCOMPANIED BY COUNSEL, LEONARD BOUDIN, NEW YORK, N. Y., AND DAVID J. LEVY, OF MAASS, DAVIDSON, LEVY, FRIEDMAN & WESTON, NEW YORK, N. Y.

Mr. ARENS. Kindly identify yourself, sir, by name, residence and occupation.

Mr. NATHAN. Otto Nathan, 55 East 10th Street, New York City, associate professor of economics, New York University.

Mr. ARENS. You are appearing today, Doctor, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. NATHAN. Yes, sir; but Mr. Chairman, I would like to state here for the record that I have not been informed of the purpose of the present investigation and on the scope of my testimony.

My counsel has requested, by letter of May 14, 1956, and repeatedly afterward, to be advised as to the nature and purpose of the inquiry and the bills under consideration, but we have had no reply up to date. There has been no reply up to date.

Mr. ARENS. Are you represented by counsel today?

Mr. NATHAN. Yes, I am.

Mr. ARENS. Identify yourselves, Counsel, please.

Mr. BOUDIN. There are two counsels, Leonard B. Boudin, of 25 Broad Street, one of Dr. Nathan's counsel.

Mr. LEVY. I am David J. Levy, a member of the law firm of Maass, Davidson, Levy, Friedman & Weston, 100 Park Avenue, New York City, counsel for the estate of Albert Einstein, of which Dr. Nathan is executor and cotrustee.

Mr. ARENS. Does your subpoena require you to produce certain documents, Doctor?

Mr. NATHAN. Yes.

Mr. ARENS. Do you have those documents with you?

Mr. NATHAN. I have the passport here, Mr. Counsel.

Mr. ARENS. Do you have another document, the new passport?

Mr. NATHAN. I have the new passport here but I am not willing to hand it over to the committee.

Mr. ARENS. May I respectfully suggest, Mr. Chairman, that this witness be at this time ordered and directed to transmit physical custody of this document to the committee?

The CHAIRMAN. You were subpoenaed to produce certain documents?

Mr. NATHAN. Yes, sir.

The CHAIRMAN. Documents you have with you and you are directed to deliver them over to the committee in accordance with the terms of the subpoena duces tecum.

(Representative Kearney left the hearing room.)

Mr. NATHAN. Mr. Chairman, I am willing to disclose everything in the passport, to read it into the record, everything the passport shows and says, and counsel can supervise me while I am doing that.

The CHAIRMAN. You have been directed to deliver the subpoena—

Mr. NATHAN. I beg your pardon.

The CHAIRMAN. You have been directed to deliver the passport over to the committee.

Mr. NATHAN. I have been directed to produce a passport and I am producing it here and I am willing, Mr. Chairman.

The CHAIRMAN. Give it to counsel.

Mr. NATHAN. Mr. Chairman, I don't feel that I am able to give the passport to the committee upon advice of counsel. I should like to state the reasons for my unwillingness to hand the passport over to the committee.

First, the passport represents physical evidence of my right to travel, which is a natural right of every American citizen as established by the United States Court of Appeals in the District of Columbia. This

passport was granted me after 2½ years of delaying tactics by the State Department and only after successful litigation by me.

I do not want to run the risk of again being without a passport and thereby being again limited in my movements.

Secondly, I feel——

The CHAIRMAN. You, of course, are not intimating that we are going to keep your passport, are you?

Mr. NATHAN. I beg your pardon?

The CHAIRMAN. You are not intimating that we are going to keep your passport?

Mr. NATHAN. I don't know, Mr. Chairman. I learned from the newspaper that last week two witnesses which appeared here have not had their passports returned.

The CHAIRMAN. They will get their passports, there is no question about that.

Mr. ARENS. Where were you born?

Mr. BOUDIN. The witness hasn't finished his statement, Mr. Arens.

The CHAIRMAN. Why do you not file whatever your lawyer gave you?

Mr. BOUDIN. It may be the committee may find this satisfactory.

The CHAIRMAN. All right.

Mr. NATHAN. The second point is that the committee cannot justify its demand, which is unauthorized and unlawful:

The passport is not needed by the committee as evidence because I am willing to read everything it shows into the record. The counsel of the committee may verify it as I do so.

The subpoena merely requires me to produce the passport, but the passport remains my property and cannot be taken away from me as long as I am willing to establish whatever it shows.

The retention of the passport by the committee, however temporary, is unauthorized and, in addition, would be an unlawful and unreasonable seizure under the fourth amendment of the Constitution.

The retention of the passport would not only be tantamount to suspension of my rights which it evidences, but would infringe upon the authority of the executive branch of the Government which issued it and upon the judicial branch, which ordered its issuance.

Mr. Chairman, I would like to say once more that I am ready and willing to read into the record everything this passport shows and says and that counsel can verify me while I do so.

I would also like to say that I should have liked to submit a photostatic copy of the passport to the committee but I was advised by the photostaters in New York that they are not permitted to photograph passports of the United States.

I have finished my statement.

Mr. ARENS. Where were you born?

Mr. NATHAN. I was born in B-i-n-g-e-n, Germany.

Mr. ARENS. When did you enter the United States?

Mr. NATHAN. I entered the United States the first time late in September 1930. I don't know the exact date. I think it was the 30th of September 1930.

Mr. ARENS. Are you a naturalized citizen?

Mr. NATHAN. I am a naturalized citizen.

Mr. ARENS. When were you naturalized?

Mr. NATHAN. Exactly 17 years ago today on June 12, 1939, in the southern district of New York, and I would like to say I am very proud to be an American citizen. I was proud of it the day I was naturalized. I became a citizen after I acquainted myself with the United States and after I had been a teacher here at several universities and having become well acquainted with what it means to be an American citizen.

I became an American citizen because I wanted to, I was not born an American citizen. I was always proud to be an American citizen, to fight for the values and the ideals which the United States and the American people have always been guided by.

Mr. ARENS. Have you ever received a United States passport?

Mr. NATHAN. Yes, sir; I have received a United States passport.

Mr. ARENS. Let us take the chronology of the passports which you have received. When did you receive your first passport?

Mr. NATHAN. In 1939.

Mr. ARENS. Where did you go on that passport?

Mr. NATHAN. I went to Europe.

Mr. ARENS. Where in Europe?

Mr. NATHAN. Well, now, this is a long time ago and I am utterly unprepared for this question since you did not advise me what I was going to be investigated about today.

Mr. ARENS. Do you not recall what country you went to in Europe in 1939?

Mr. NATHAN. I am going to tell you, Mr. Counsel. Just give me time.

As far as I recall, I went to England, I went to France, I possibly also went to Switzerland, but I would have to check my records.

Mr. ARENS. What was the purpose of your trip?

Mr. NATHAN. I went also to Holland that year, I am sorry.

The purpose of my trip was professional. I went to Europe in order to collect material for my work in the United States. I went to Europe in order to discuss problems of mutual interest with leading authorities in my field in Europe and I went to Europe to meet my parents, my old parents who at that time left Germany, and to bring them to the United States.

Mr. ARENS. All right, sir.

Did you take another trip then?

Mr. NATHAN. Yes, the next trip I took in 1945.

Mr. ARENS. Where did you go then?

Mr. NATHAN. I took that trip—I don't know whether I should say as an employee or as with the United States War Department.

Mr. ARENS. Were you an employee then of the War Department?

Mr. NATHAN. I was an employee of the War Department.

Mr. ARENS. In what capacity?

Mr. NATHAN. I was an instructor at the Biarritz American University.

Mr. ARENS. What did you instruct?

Mr. NATHAN. I instructed in the only field I know about, economics.

Mr. ARENS. Where did you go on that trip?

Mr. NATHAN. I was chosen out of many thousands of American teachers and professors to go overseas by the War Department to teach the boys, men and officers, of the United States Army.

Mr. ARENS. All right, sir.

Did you take another trip to Europe?

Mr. NATHAN. Yes, I took another trip to Europe. As far as I know, the next time was in 1946.

I would like to say, Mr. Counsel, that I am making those statements to the best of my belief at the moment.

Mr. ARENS. We understand.

Mr. NATHAN. I am utterly unprepared at the moment.

Mr. ARENS. We want your best recollection.

Where did you go on your trip in 1946?

Mr. NATHAN. As far as I recall, I only went to England.

Mr. ARENS. What was the purpose of that trip?

Mr. NATHAN. The purpose of that trip was to carry on discussions with a number of leading educators in England for a period of 10 days in preparation of what is today known as Brandeis University. I did that work in association with Professor Einstein. He and I were intimately connected with the original creation and development of Brandeis University.

Mr. ARENS. All right, sir, did you then apply for another passport?

Mr. NATHAN. I think before I went in 1946 I applied for a passport. This is the passport that the gentleman on your left is just—

Mr. ARENS. When was your next trip?

Mr. NATHAN. As far as I recall in the summer of 1947.

Mr. ARENS. Tell us the occasion for that trip to Europe.

Mr. NATHAN. I was engaged, I have been engaged, in the study of the development of the various economies in Europe. One is England, one is the east of Europe and one was supposed to be Israel, but I haven't been into Israel yet. I have been a student of changing economic systems for many, many years, one of my special fields.

Mr. ARENS. Where were you—

Mr. NATHAN. Let me finish.

Mr. ARENS. I beg your pardon.

Mr. NATHAN. I published a book here in the United States which is called *The Nazi Economic System*, which is the outcome of my work in that field. I was very much interested in the developments of the various economic systems in Europe after the war and I went to Europe in the summer of 1947 for the only purpose of collecting material on the changes in the British economy after the war.

Mr. ARENS. Where were you employed at that time?

Mr. NATHAN. I was employed by New York University in New York and by Howard University in Washington, D. C.

Mr. ARENS. And then, since you made that trip, have you made application for still another passport?

Mr. NATHAN. Yes, I made an application for another passport in December 1952.

Mr. ARENS. Now, in the course of the proceedings in your application for a passport, did you have an interview with the officials of the Department of State?

Mr. NATHAN. Yes, I did.

Mr. ARENS. During the course of that interview, were you interrogated as to whether or not you had ever been a member of the Communist Party?

Mr. NATHAN. Yes, I was. I was interrogated.

Mr. ARENS. Did you answer the questions?

Mr. NATHAN. Mr. Counsel—

Mr. ARENS. Just a moment, please, sir. Did you answer the questions propounded to you by the officials of the Department of State as to whether or not you had ever been a member of the Communist Party?

Mr. NATHAN. Mr. Counsel, I think you know the answer. The answer is in the records which were deposited with the State Department and with the district court in the District of Columbia and with the court of appeals in the District of Columbia.

Mr. ARENS. Would you answer the question that is outstanding on this record now?

Mr. NATHAN. There is no need for me to answer that question again.

Mr. ARENS. Answer it.

Mr. NATHAN. I don't see any need for answering it.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

The CHAIRMAN. Answer the question.

(The witness conferred with his counsel.)

Mr. BOUDIN. Repeat the question.

Mr. ARENS. The essence of the question is:

During the conferences with the officials of the Department of State in the process of your trying to procure a passport, were you interrogated as to whether or not you are or have been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NATHAN. Would you repeat the question, please, Mr. Counsel.

Mr. ARENS. Mr. Chairman, this is the third time right here in a row.

When you were interrogated by the officials of the Department of State, did they ask you whether or not you had ever been a member of the Communist Party?

Mr. NATHAN. I think I said before that they did ask me.

Mr. ARENS. Did you refuse to answer the question as to whether or not you had ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NATHAN. I did not refuse to answer.

Mr. ARENS. What did you say?

Mr. NATHAN. I submitted an affidavit.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. NATHAN. Mr. Chairman, I would like to make a statement here concerning the questions about my political beliefs as well as about my political and private associations.

First, I believe that under the first, fourth and ninth amendments to the Constitution this committee has not the right to inquire into the political beliefs or political and private associations of Americans.

Secondly, I further believe that any question about my political beliefs or political and private associations is not within the jurisdiction of this committee or pertinent to the purpose of the present investigation by the committee.

Thirdly, although my political beliefs and associations have been widely known for many years and also I have always believed in stating them publicly at any time and place of my own choosing, among others in the court of appeals in Washington, I am for the reasons

stated above not able as a matter of conscience and principle to answer any questions by this committee as to my political beliefs or political and private associations.

Mr. ARENS. Now, forgetting any question respecting any beliefs or any associations, tell us now whether or not you have ever been a member of the Communist Party?

Mr. NATHAN. With reference to the statement which I have just presented to the committee, I refuse to answer that question.

The CHAIRMAN. I direct the witness to answer the question.

Mr. NATHAN. I refuse to answer in view of the statement which I have just read.

Mr. SCHERER. I think we should say that we do not accept his answer.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. NATHAN. In view of the statement which I have just read, I am not able and not willing to make any statement about my political beliefs and associations.

Mr. SCHERER. I ask that you direct the witness.

The CHAIRMAN. You are directed to answer the question.

Mr. NATHAN. I have said a moment ago that I have had great pride in becoming an American citizen 17 years ago today. Before I became an American citizen——

The CHAIRMAN. You are so proud of being an American citizen, why do you not answer these simple questions?

Mr. NATHAN. Because I feel it is an infringement of my first-amendment rights, Mr. Chairman. I have stated many times what my political beliefs are at times and places of my own choosing, and I do not feel your committee has the right to ask me those questions.

Mr. SCHERER. Then I understand that in refusing to answer the question, you are not relying on the fifth amendment?

Mr. NATHAN. No, I am not relying on the fifth amendment. I am relying on the first, fourth and ninth amendments.

Mr. ARENS. Now I lay before you a photostatic copy of an affidavit (reading) :

STATE OF NEW YORK,
County of New York, ss:

Otto Nathan, being duly sworn, deposes and says :

I am not now and never have been a member of the Communist Party.
Sworn to before me the 20th day of April 1953.

(The affidavit referred to was marked "Otto Nathan Exhibit No. 1" for identification purposes and filed for the information of the committee.)

I ask you if that is your signature appended to that affidavit?

Mr. NATHAN. Sir, I am unable to verify here a photostat which you submit to me without showing me the original.

Mr. ARENS. Did you make an affidavit on April 20, 1953?

Mr. NATHAN. I answered that question before, Mr. Counsel, that I submitted an affidavit to the State Department. There is no need to ask me that question a second time.

Mr. ARENS. Wait just a second.

Did you submit an affidavit to the Department of State under date of April 20, 1953, reading as follows :

I am not now and never have been a member of the Communist Party.?

Mr. NATHAN. I don't recall the date but I have made that statement.

Mr. ARENS. Did you make it available to the Department of State?

Mr. BOUDIN. Would you mind not pounding on the table?

Mr. ARENS. I do not mean to reflect any discourtesy, counsel. Counsel's comments are snide, and he is not reflecting credit upon the bar.

Did you at any time in April of 1953 submit an affidavit to the Department of State that you were not and have never been a member of the Communist Party?

Mr. NATHAN. First of all, Mr. Counsel, it's not necessary that you raise your voice when you speak to me.

Secondly, I have not understood the question and I would like to have it repeated.

Mr. ARENS. I will repeat it the third time.

Did you submit an affidavit to the Department of State in April of 1953 that you were not and had never been a member of the Communist Party?

Mr. NATHAN. I do not know, Mr. Counsel, why you repeat asking me the question. I answered it twice before in the affirmative.

Mr. ARENS. Was that affidavit true or was it false?

Mr. NATHAN. I resent that question, Mr. Counsel.

Mr. SCHERER. I ask that you direct the witness to answer the question.

The CHAIRMAN. Just a minute.

Answer the question.

Mr. NATHAN. Mr. Chairman, I resent the implications that I have made a statement under oath which should not be correct. I refuse to answer. I think there is a limit beyond which counsel may not be permitted to go.

I stand here on the record of 63 years. Nobody has ever suggested that a statement which I have made under oath was not correct.

Mr. SCHERER. Was it correct? You can say now.

Mr. NATHAN. No, I am not going to answer that question now, Mr. Congressman.

Mr. ARENS. In 1948——

Mr. NATHAN. I would very much like the chairman to ask the counsel not to ask such insulting questions.

Mr. ARENS. If the affidavit was truthful——

Mr. NATHAN. I don't want to be insulted by you, Mr. Counsel. In any law court of the United States, a sworn affidavit is taken as truthful until proven to the contrary.

Do you have the proof that it's not true?

Mr. ARENS. Did you attend a conference in Warsaw, Poland, in August 1948?

Mr. NATHAN. I did not.

Mr. ARENS. Did you propose to attend a conference in Warsaw in August of 1948.

Mr. NATHAN. I did not.

Mr. ARENS. I lay before you now a photostatic copy of a page of the Communist Daily Worker of August 23, 1948, respecting a peace parley to be opened in Poland. Among other things, this article says, and I will let you see the entire article:

The United States will be represented——

Mr. NATHAN. Before you do that, Mr. Counsel, I would like to say that no article in the Daily Worker is official proof for me.

Mr. ARENS. I lay before you this document and I direct your attention to that part of the article which says:

The United States will be represented at this peace parley in Warsaw, Poland, by a number of persons, including Otto Nathan, professor of economics, New York University.

(The document referred to was marked "Otto Nathan Exhibit No. 2," for identification purposes and filed for information of the committee.)

Mr. NATHAN. I have just told you that I have not attended a conference in Warsaw, Poland.

Mr. ARENS. Would you kindly wait until I finish?

Would you look at that article and tell us whether or not that refreshes your memory as to any plans that you made to attend a conference in Poland?

Mr. NATHAN. I do not need to refresh my recollection.

I say again, under oath, that I have not attended a conference in Warsaw, Poland.

Mr. ARENS. Were you in Poland in 1948?

Mr. NATHAN. I was in Poland in 1948.

Mr. ARENS. Were you in Warsaw, Poland, in 1948?

Mr. NATHAN. Warsaw, Poland, I was.

Mr. ARENS. Were you in Warsaw, Poland, in 1948 in the capacity of representing an organization for a World Congress of Peace or for peace?

Mr. NATHAN. I don't think that that was the name of the organization. I didn't represent anybody but myself and Albert Einstein. I didn't represent any organization.

Mr. ARENS. When you say you do not think that is the name of the organization, do you have a recollection of a different name that is substantially the same?

Mr. NATHAN. I just said, Mr. Counsel, that I did not represent any organization.

Mr. ARENS. Were you there when there was a Congress of Peace in Warsaw?

Mr. NATHAN. I just said I did not attend a Congress of Peace in Warsaw.

Mr. ARENS. Do you have a knowledge of a Congress of Peace in Warsaw in 1948?

Mr. NATHAN. I have not, Mr. Counsel.

Mr. ARENS. What conferences, if any, did you attend when you were in Warsaw, Poland, in 1948?

Mr. NATHAN. I am sorry, I did not hear the question.

Mr. ARENS. What conferences did you attend in Warsaw, Poland, in 1948?

Mr. NATHAN. I did not attend any conferences in Warsaw, Poland, in 1948.

Mr. ARENS. What was your mission in Warsaw, Poland, in 1948?

Mr. NATHAN. I spent about a week in Warsaw, Poland, in 1948, to acquaint myself with the postwar economic developments of Poland.

Mr. ARENS. Was that after the Communists had taken over Poland?

Mr. NATHAN. It was in 1948, Mr. Counsel.

Mr. ARENS. When was the coup d'etat there? Was it not in 1947?

Mr. NATHAN. I don't know anything about a coup d'etat.

Mr. ARENS. Was the Government in Poland when you were there in 1948 under the control of the Communists?

Mr. NATHAN. I don't know when it was under control of the Communists. When I was there, as far as I recall, it was a coalition government.

Mr. ARENS. Now, are you identified, or have you been identified, with the National Council of Arts, Sciences, and Professions?

Mr. NATHAN. I said before, Mr. Counsel, that I do not intend to make any kind of statements about my political and private associations. I don't want to make any statements about that.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. Answer that question.

Mr. NATHAN. Mr. Chairman, in view of the statement which I read before, I do not intend to make here today before this committee any statement about my political or private associations because I do not feel that the committee under the first, fourth, and ninth amendments has the right to inquire into those associations.

The CHAIRMAN. In other words, you refuse to answer the question for the reasons given before?

Mr. NATHAN. For reasons which I have stated before.

Mr. ARENS. Now I lay before you a photostatic copy of a program of the Cultural and Scientific Conference for World Peace of the National Council of Arts, Sciences, and Professions, bearing a list of a number of sponsors, including a person identified here as Dr. Otto Nathan, and ask you whether or not you are that person?

(Document referred to was marked "Otto Nathan Exhibit No. 3" for identification purposes and filed for information of the committee.)

Mr. NATHAN. I am 1 of the 500 or 600 sponsors of that conference; yes, sir.

Mr. ARENS. Do you know a person by the name of Mary Price?

Mr. NATHAN. Sir, I do not intend to make any statements about my private associations.

Mr. SCHERER. I ask that he be directed to answer.

The CHAIRMAN. Do you know a Mary Price?

Mr. NATHAN. I just said, Mr. Chairman, that I do not feel that I should make any statements about my private acquaintances and associations.

The CHAIRMAN. You are not being asked anything except whether or not you know this person.

Mr. NATHAN. I refuse to answer that question in view of the statement which I made before.

Mr. ARENS. Now, have you ever been identified with the Congress on American-Soviet Relations?

Mr. NATHAN. First, Mr. Counsel, I don't recall the name. I would like you to tell me a little more what identification means.

Mr. ARENS. I will be very glad to do so.

I lay before you now a photostatic copy of a program, Congress on American-Soviet Relations To Promote Effective Cooperation Between the United States and the Soviet Union for a Peaceful World, sponsored by the National Council of American-Soviet Friendship.

This program lists the speakers and leaders in the congress, including one Dr. Otto Nathan, identified here as economist and lecturer.

I lay this now before you and ask you whether or not that refreshes your recollection?

(Document referred to was marked "Otto Nathan Exhibit No. 4" for identification purposes and filed for information of the committee.)

Mr. NATHAN. Well, yes; it does refresh my recollection. It doesn't mean that I am identified with that organization.

I attended that congress a few months after I returned from Europe and I gave a lecture on the economic developments in Eastern Europe in my capacity as economist. I gave those lectures in many other places, for instance, Columbia University, Vassar College, and Howard University. I have been considered an expert as far as the various economic systems in Europe are concerned, and I was frequently invited in those days after my return from Eastern Europe to give lectures on that subject, but I didn't identify myself with that congress by giving a lecture.

Mr. ARENS. Were you ever employed in the United States Treasury?

Mr. NATHAN. Yes, sir.

Mr. ARENS. Who was your immediate superior?

Mr. NATHAN. I had a number of different superiors.

Mr. ARENS. Did you know Harry Dexter White?

Mr. NATHAN. As a matter of public record, Harry White was the Chief of the Division with which I was employed.

Mr. ARENS. Did you know him as a member of the Communist Party?

Mr. NATHAN. No, sir; I have not the slightest notion of his political affiliations.

Mr. ARENS. Did you know Frank Coe?

Mr. NATHAN. Frank Coe was at one time the head, the chief, of the division with which I was employed, and of course it is a matter of public record that we knew each other.

Mr. ARENS. Did you know him as a member——

Mr. NATHAN. Of course——

Mr. ARENS. Of the Communist Party?

Mr. NATHAN. Of course not.

Mr. ARENS. Now, did you know Nathan Gregory Silvermaster?

Mr. NATHAN. I knew Nathan Gregory Silvermaster as an economist.

Mr. ARENS. Did you know him also as a member of the Communist Party?

Mr. NATHAN. Of course not, Mr. Counsel.

Mr. ARENS. Did you know Harold Glasser?

Mr. NATHAN. He was my chief in the Division of Monetary Research in the Treasury Department.

Mr. ARENS. Did you know Harold Glasser as a member of the Communist Party?

Mr. NATHAN. Of course not.

You don't need to finish that question. I didn't know anybody as a member of the Communist Party.

Mr. SCHERER. You say you did not know anybody as a member of the Communist Party?

Mr. NATHAN. No, sir.

Mr. ARENS. What was the occasion for your last trip to Europe?

I do not believe we really explored that to the degree which we intended to do.

Mr. NATHAN. There were three purposes for which I went to Europe the last time. One was a personal purpose. I wanted to see some of my old friends.

The second was a professional purpose. I was trying to find some additional occupation for myself as the writer for Europe on economic problems.

The third purpose was in my capacity as the executor of the estate of Albert Einstein.

Mr. ARENS. What did you do in connection with the estate of Dr. Einstein?

Mr. NATHAN. Well, I did several things.

First of all, Albert Einstein had a son who lives in Switzerland and I had to negotiate with him and with his guardian about his legacy. I also had to see about the place, surroundings in which he works and lives.

The second thing is that, under the will of Albert Einstein, I am also in charge of the huge literary and scientific material which he left and it was necessary for me to consult with many outstanding physicists, mathematicians, and scientists in Europe about the publication, collection and proper edition of those works.

Mr. ARENS. Did you confer there in Europe with any person who was known by you to be a member of the Communist conspiracy?

Mr. NATHAN. I did not.

Mr. ARENS. Are you a member or are you identified with the Conference for Legislation in the National Interest?

Mr. NATHAN. I don't know what that is.

Mr. ARENS. Have you in the recent past spoken before the Conference for Legislation in the National Interest at Manhattan Center in New York?

Mr. NATHAN. I don't think that is an organization. It was a one-day affair at which I spoke and at which I spoke about something which is very close to my heart, namely, the fight for peace and the fight against war, something I have believed in all my life.

Whenever I get an opportunity to talk about it, particularly in view of the developments in the last few years, the utter destructiveness of modern weapons, I feel compelled to do so, also out of respect to the memory of Albert Einstein, who did me the honor to appoint me as his only executor—

Mr. ARENS. Have you been identified with the Teachers Union in New York City?

Mr. NATHAN. What do you mean, "identified"?

Mr. ARENS. Have you participated in any of their affairs?

Mr. NATHAN. I think I once accepted at one of their affairs an award for Albert Einstein, since he could not come to that meeting. I think I was the one who accepted it for him.

Mr. ARENS. Are you a member of the Teachers Union?

Mr. NATHAN. I am not.

(Representative Walter left the hearing room.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that that would conclude the staff interrogation of this witness.

Mr. DOYLE (presiding). Any questions?

Mr. FRAZIER. No questions.

Mr. SCHERER. Mr. Chairman, I do not see this witness in any position different from the previous witness, whom we cited for contempt when he refused to deliver his passport.

Of course, in this case, in this instance, the witness has refused to answer questions as to his membership in the Communist Party, as to whether the affidavit he signed for the State Department was approved and, in view of those things, I move and recommend to the full committee that the witness be cited for contempt.

Mr. DOYLE. That will be taken up with the full committee.

Doctor, I notice you mentioned that you were in Warsaw 1 week in 1948?

Mr. NATHAN. Yes, sir.

Mr. DOYLE. I notice your memory——

Mr. NATHAN. About 1 week.

Mr. DOYLE. About 1 week.

Mr. NATHAN. It might be 9 days. I said before, since I was not informed of the purpose and the scope of my investigation, I was not able to refresh my memory. I don't want to be caught on a little thing like that.

Mr. DOYLE. I am under the impression from your testimony that you have a very fine memory and since it might have been 9 days instead of a week, what week was that or what 9 days in 1948?

Mr. NATHAN. It was sometime in August, sir.

Mr. DOYLE. Yes. It could have been the week of August 22?

Mr. NATHAN. That I don't know. I would have to check that.

Mr. DOYLE. Approximately what time in August?

Mr. NATHAN. I am sorry, sir; it was in August 1948.

Mr. DOYLE. Well, was it the first part of August or the last part of August? You have some recollection on that?

Mr. NATHAN. No, I don't. I think you are overestimating my memory. I would have verified those things if you told me what I was going to be investigated about.

Mr. DOYLE. The purpose of my question to you was that I noticed in this Daily Worker in New York, which our distinguished counsel asked you about, they report that you were going to attend this conference in Warsaw which was dated August 22.

Mr. NATHAN. I can only repeat that I did not attend any conference in Warsaw.

Mr. DOYLE. Did you attend any conference individually without representing any group?

I noticed in your testimony you specified you did not represent any organization.

Mr. NATHAN. That is correct. I did not.

Mr. DOYLE. Did you represent yourself at a conference?

Mr. NATHAN. Not in Warsaw.

Mr. DOYLE. Where was it that you attended a conference?

Mr. NATHAN. In Wroclaw.

Mr. DOYLE. Was that a peace conference?

Mr. NATHAN. This was a conference of intellectuals. I don't know whether the name of peace might have been included in the title.

Mr. DOYLE. When was that?

Mr. NATHAN. 1948.

Mr. DOYLE. What month?

Mr. NATHAN. August 1948.

Mr. DOYLE. What days in August?

Mr. NATHAN. I am sorry, I do not recall the days.

Mr. DOYLE. Approximately what day?

Mr. NATHAN. I am sorry, I told you before I don't recall what part of August it was.

Mr. DOYLE. And in that conference did you represent an organization?

Mr. NATHAN. No, sir; I did not.

Mr. DOYLE. Approximately how many people attended that conference?

Mr. NATHAN. I should say maybe a thousand, maybe less, maybe more.

Mr. DOYLE. There were delegates there from Great Britain, were there not?

Mr. NATHAN. I don't know whether there were delegates from Great Britain. There were people from Great Britain there.

Mr. DOYLE. There were distinguished Englishmen?

Mr. NATHAN. Yes, very distinguished Englishmen.

Mr. DOYLE. And very distinguished men from Russia, as well as you and other men from the United States?

Mr. NATHAN. Yes, sir.

Mr. SCHERER. What was the name of the conference?

Mr. NATHAN. I just mentioned before, Mr. Congressman, I know that there was—maybe Congressman Doyle has the name before him—it was an intellectual conference. I don't know the exact name.

Mr. DOYLE. To refresh your memory, this article says:

World-renowned leaders in art, science.

Mr. NATHAN. May I say something, Mr. Congressman?

Mr. DOYLE. Yes.

Mr. NATHAN. It's not necessary for that purpose to take the Daily Worker. The New York Times and all American newspapers reported in great detail about that conference.

Mr. DOYLE. Why, of course; it was an important conference.

Mr. NATHAN. Yes.

Mr. DOYLE. No doubt of it, but I do notice that the name of this conference, you said it was a conference of intellectuals?

Mr. NATHAN. Yes, sir.

Mr. DOYLE. Now, listen to this and I will read the first two lines of this report in the Daily Worker:

World-renowned leaders in art, science, and literature from 44 nations will meet at the Intellectual World Conference for Peace—

I stand corrected—

will meet at the Intellectuals World Congress for Peace—
instead of "conference."

Mr. NATHAN. Yes.

Mr. DOYLE. That specifies that the name of it was the Congress of Intellectuals. I notice you used the term "intellectuals"?

Mr. NATHAN. Yes, sir.

Mr. DOYLE. Could it possibly be the same congress?

Mr. NATHAN. Yes, I think it is the same. I said before that I do not recall correctly the name of the conference or congress, as you say.

It was, of course, one of the purposes of that conference to get people of the entire world together and to try to discuss how peace could be made more secure and war less likely to occur.

Mr. DOYLE. It was a very worthy purpose?

Mr. NATHAN. It was a very worthy purpose, Mr. Congressman, and that is why I was so eager to go and this is why Dr. Einstein was eager to send me as his representative.

Mr. DOYLE. Of course, Dr. Nathan, and may I make it clear that I am sure that no Member of Congress has any higher purpose and objective than a prayer for peace, but I did feel as I listened to your testimony that the possibility was that you were either in error or did not quite remember or were for some reason a little bit uncertain about having attended this Intellectuals Conference.

Mr. NATHAN. Not at all. The counsel kept asking me whether I attended a conference in Warsaw and I said no. When you asked me whether I attended a conference in Wroclaw I said yes.

Mr. DOYLE. I thank you for answering my question, because apparently the same dates were involved, no matter where the conference was.

Mr. NATHAN. It's quite possible, if counsel had used the New York Times as a basis for the interrogation, not the Daily Worker, the mistake would not have occurred, but since I am under oath I can only reply to the question he asked me.

Mr. DOYLE. Of course, you have to be very careful.

Any questions, Mr. Scherer?

Mr. ARENS. Just one question, if you please, Mr. Chairman.

Did you attend a conference in England on your last trip abroad?

Mr. NATHAN. I went to a conference in England. I don't know what you call "attending."

Mr. ARENS. What was the conference?

Mr. NATHAN. I attended sessions of a conference, and again I am not quite sure about the title. This was a parliamentary organization for world government. I think that is its approximate title.

This conference was devoted to a discussion of the potential implications of the use of atomic bombs and atomic weapons on mankind, and the overwhelming majority of all the men attending, outstanding scientists from all over the world, felt that in the case of atomic bombs being used in a future war, maybe that would mean the annihilation of entire mankind.

Mr. ARENS. Who invited you to attend that conference?

Mr. NATHAN. Bertrand Russell, one of the greatest living philosophers in the world.

Mr. ARENS. Did you represent any organization?

Mr. NATHAN. I represented Otto Nathan.

Mr. ARENS. No further questions, Mr. Chairman.

Mr. BOUDIN. Before you adjourn, may I say something not with respect to this witness?

A week ago we were scheduled to appear here with Mr. Henry Willcox, a client of mine in this audience. Mr. Willcox reached Washington at 6 o'clock in the evening, after committee counsel had sent a telegram to him that morning which of course didn't reach him.

Mr. Willcox came here last night and he has been here all day. I think the committee ought to, and I would appreciate it if they would, so that neither he nor I would have to come back to Washington again. I have to be in Washington again on Friday.

Mr. DOYLE. The committee stands in recess until tomorrow morning at 10 o'clock in this room.

(Whereupon, at 4:40 p. m., Tuesday, June 12, the committee recessed, to reconvene at 10 a. m., Wednesday, June 13, 1956.)

INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 3

WEDNESDAY, JUNE 13, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

A subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess in the caucus room of the House Office Building, Hon. Morgan M. Moulder (chairman of the subcommittee) presiding.

Committee members present: Representatives Moulder (presiding), Walter (appearance as noted), Doyle, Willis, Kearney, and Scherer.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

Mr. MOULDER. The subcommittee will be in order.

The record will show that the subcommittee, composed of Representatives Clyde Doyle of California, Gordon H. Scherer of Ohio, Bernard W. Kearney of New York, and myself, Morgan M. Moulder, of Missouri, has been duly appointed by the chairman of the full committee to conduct proceedings in the hearings to be had at this time.

Are you ready to proceed Mr. Arens?

Mr. ARENS. Mr. Henry Willcox.

Will you please remain standing while the chairman administers an oath to you, Mr. Willcox.

Mr. MOULDER. Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. WILLCOX. I do.

TESTIMONY OF HENRY WILLCOX, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. WILLCOX. My name is Henry Willcox, 38 Dock Road, South Norwalk, Conn., and my present occupation is a taxpayer.

Mr. BOUDIN. Could we request no pictures while the testimony is being given?

Mr. MOULDER. There will be no pictures taken while the testimony is being given by the witness.

Mr. ARENS. Mr. Willcox, are you appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. WILLCOX. Yes, sir. May I make a statement in that connection? We wrote a letter, or my counsel wrote a letter on May 16 that I have a case against the State Department under adjudication in the District Court of the District of Columbia, Judge Letts, and it seems improper, perhaps, for the committee to hear anything that has to do with my eligibility for a passport while this case is pending.

Mr. BOUDIN. This matter is now sub judice, Judge Letts having before him the very subject matter of this hearing. It is impossible for the committee to conduct the hearing on this subject without going into material which is before Judge Letts for decision. It seems to me both as a matter of jurisdiction and as a matter of propriety—

Mr. MOULDER. Of course counsel is not permitted to make statements or make arguments.

Mr. BOUDIN. It is not for the purpose of argument but I want you to know what the problem is. It does not seem to me that when we have a case actually pending and awaiting decision, that the committee should hear testimony on the subject.

Mr. MOULDER. The committee will be in order.

I am advised by counsel that the Department of Justice and the officials in the Department of Justice have conferred with counsel, Mr. Arens, and that there are no objections on the part of the Department of Justice for this witness to testify before the committee and to answer questions.

Mr. BOUDIN. May I make one observation and point out one thing for your information? The Department of Justice is on the other side in the litigation. They are not the ones to agree that the matter is not sub judice. So you have really been conferring with the other side in litigation. I think that the committee might want to consider whether it is really proper when a matter is before a court for the committee to go into the same subject. This is not to mean that you cannot eventually examine Mr. Willcox, but certainly while Judge Letts is considering the very subject matter of this hearing, I do not see how the committee can go into it.

Mr. MOULDER. Let us proceed.

Mr. ARENS. You are appearing in response to a subpoena served upon you by the House Committee on Un-American Activities, is that correct?

Mr. WILLCOX. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. WILLCOX. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. BOUDIN. Leonard B. Boudin, of New York City.

Mr. ARENS. The subpoena pursuant to which you are appearing today requires you to produce certain documents.

Mr. WILLCOX. Yes, sir.

Mr. ARENS. Do you have those documents in your custody and control?

Mr. WILLCOX. I do not have any such documents, sir.

Mr. ARENS. Could you tell us where they are?

Mr. WILLCOX. I can tell you where one of them is. My original passport, however, that I took out about 1918, I seem to have lost. I have searched everywhere that I can think of for it and I cannot find it.

Mr. ARENS. I understood you to say a moment ago that you were not presently engaged in work or an occupation and I take it that you are retired.

Mr. WILLCOX. Substantially so; yes, sir.

Mr. ARENS. What was your last occupation?

Mr. WILLCOX. I was president of the Willcox Construction Co.

Mr. ARENS. Where was that located?

Mr. WILLCOX. Pardon me, sir?

Mr. ARENS. Where was that located?

Mr. WILLCOX. Long Island City.

Mr. ARENS. What was the nature of the work?

Mr. WILLCOX. Building construction.

Mr. ARENS. Mr. Willcox, were you issued a United States passport in 1952?

Mr. WILLCOX. Yes, sir.

Mr. ARENS. And in the application which you filed for the passport—

Mr. MOULDER. Will counsel suspend for just a moment. There seems to be some loud talk or noise in the rear of the room and it is impossible to hear the counsel or the witness.

Mr. ARENS. I will start the questioning again, if you please.

I lay before you now, Mr. Willcox, a photostatic copy of a document entitled "Department of State Passport Application," bearing the signature of Henry Willcox. I ask you whether or not that is a true and correct representation of the passport application which you made in 1952.

Mr. WILLCOX. Mr. Arens, would it be appropriate at this time for me to read the statement which I submitted to the committee?

Mr. ARENS. May I respectfully suggest the committee has a practice of taking such matters under advisement.

Mr. MOULDER. You may file your statement.

Mr. BOUDIN. This was filed about a week ago.

Mr. MOULDER. Respond to the question propounded by counsel. He has asked you to examine a document which he has handed to you.

(The witness consulted with his counsel.)

Mr. ARENS. May I invite your attention first of all, to the signature that might be helpful to you in identifying the document.

Mr. WILLCOX. May I raise the objection that this is directly the subject which is under adjudication in the district court.

Mr. MOULDER. That question has been thoroughly discussed and the committee, as I understand, without objection, has overruled your objection.

Mr. BOUDIN. Can it be understood just to save time that the witness need not repeat that objection and this objection would go to the whole of the testimony?

Mr. MOULDER. That is correct.

Mr. BOUDIN. Thank you.

Mr. WILLCOX. Yes, sir, this is my signature. This is my application, and this is my writing.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document be marked appropriately and incorporated by reference in the record.

Mr. MOULDER. The document referred to will be marked "Willcox Exhibit No. 1" and so admitted.

Mr. ARENS. In the application which you filed, you state the purpose of the trip was travel and business. Is that correct?

Mr. WILLCOX. That is right.

Mr. ARENS. Did you at the time you made this application intend to travel to Europe for business and travel?

Mr. WILLCOX. Well, we had a project pending, negotiations going on with the Turkish Government or a department thereof, and I certainly would have been at a great advantage to be able to go to Turkey quickly if that project had matured.

Mr. ARENS. Did you designate here the countries which you intended to visit?

Mr. WILLCOX. I put down France, that was the country.

Mr. ARENS. Did you at the time you made the application intend to visit any country besides France?

Mr. WILLCOX. I thought that was wide open, sir.

Mr. ARENS. Would you just answer the question, Did you intend at the time you made this application to visit any country other than France?

(The witness consulted with his counsel.)

Mr. WILLCOX. I indicated I might possibly go to Turkey.

Mr. ARENS. Was there any other country which you indicated that you might possibly visit?

Mr. WILLCOX. I think not.

Mr. ARENS. Did you have an intention at the time you filed this application for your trip to visit any other countries beside France or prospectively Turkey?

(The witness consulted with his counsel.)

(Mr. Walter assumed the Chair.)

Mr. WILLCOX. Well, I think the best answer I can make to that is that I had not limited myself in any way, and I cannot say that I had an intention, but I know we discussed possibly going to Italy.

Mr. ARENS. Did you, prior to the time that you made your application, discuss going to any other country?

(The witness consulted with his counsel.)

Mr. WILLCOX. If you are referring to the possibility of our getting a trip to China, I knew that there was such a possibility. It seemed very remote to me, but I would be very foolish to say that I would not accept it if it materialized, because when it did materialize I accepted it.

Mr. ARENS. What conversations did you have prior to the time you made this application which dealt with a prospective trip by yourself to Red China?

(The witness consulted with his counsel.)

Mr. ARENS. I respectfully suggest that counsel here be admonished to advise his client only on his constitutional grounds and not to suggest answers to him.

Mr. BOUDIN. May I respectfully suggest that counsel stand a little away so I can talk in confidence to my client? I asked him to do so off the record, because I did not want to seem discourteous, but I think I have a right to consult my client.

The CHAIRMAN. That is right. We permit you to consult with the witness.

Mr. BOUDIN. This is my client, here, Mr. Chairman.

The CHAIRMAN. With your client, but you are not here by any right at all.

Mr. BOUDIN. I am not going to argue that because we discussed that before, but what I say is that whatever rights I have or whatever discussions I have they are to be held in confidence.

The CHAIRMAN. Then I want to suggest to you that you advise your client on constitutional questions and not put words in his mouth and not tell him how to answer questions.

Mr. BOUDIN. Your statement is out of order because he has not been told what to say.

The CHAIRMAN. Proceed, Mr. Arens.

Mr. ARENS. Why did you not put on your passport application, Mr. Willcox, that you proposed to visit Turkey if you had that in mind?

Mr. WILLCOX. I wrote an accompanying letter and I thought it was sufficient to put down the original point of arrival in Europe, and anything subsequent to that would be taken care of some other way, and apparently it was satisfactory to the Passport Bureau.

Mr. ARENS. Did you in this accompanying letter indicate that you proposed perhaps to go to Turkey in addition to going to France?

Mr. WILLCOX. I did so.

Mr. ARENS. And did you in that letter indicate that you proposed, or that there might be a possibility, we will put it that way, of your going to Red China?

Mr. WILLCOX. I am not quite as naive as that, sir.

Mr. ARENS. I do not quite understand.

Mr. WILLCOX. I am sure that if I put that down, the passport would have been refused.

Mr. ARENS. Is that why you did not put down in your letter or in your passport application the prospect of your trip ending in Red China?

(The witness consulted with his counsel.)

Mr. WILLCOX. I think it was much too nebulous to put down, sir.

Mr. ARENS. You said a moment ago that if you had put it down—you would not be so naive as to put it down because you thought your passport would have been refused.

Mr. WILLCOX. Yes, sir.

Mr. ARENS. Did you have discussions with anyone prior to the time that you made your application respecting the Peiping Conference in Red China?

Mr. WILLCOX. Yes; I had heard about it.

Mr. ARENS. Tell us with whom you have had discussions prior to the time that you made this passport application respecting the Peiping Conference in Red China.

Mr. WILLCOX. I think Dr. Willard Uphaus told us about the conference.

Mr. ARENS. And who is Dr. Willard Uphaus?

Mr. WILLCOX. Dr. Willard Uphaus is not an ordained minister, but he is religiously trained, I believe, and he is very much concerned with the human brotherhood and peace, and he has a movement.

Mr. ARENS. Did he solicit you to go to Red China to the Peiping Conference prior to the time that you made this application?

Mr. WILLCOX. I would not say so. He told us about it.

Mr. ARENS. Where did he tell you about it?

Mr. WILLCOX. At our house.

Mr. ARENS. Did he talk with your wife likewise, with respect to the Peiping Conference?

Mr. WILLCOX. May I ask you, sir, according to the rules in your little book, am I supposed to discuss my wife's conversations?

Mr. ARENS. I did not ask you to discuss your wife's conversation, I asked whether or not he solicited your wife likewise.

(The witness consulted with his counsel.)

Mr. WILLCOX. Counsel advises me that that is still testimony about my wife and I do not want to seem silly, but after all you made the rules.

Mr. ARENS. Did Dr. Uphaus, in your presence, solicit both you and your wife to go to the Peiping Conference prior to the time you made this application in 1952, on which you designated the country you were going to visit, as France?

Mr. WILLCOX. He certainly did not designate any country. He did not instruct us how to make out our passport application, and I am absolutely sure of that.

Mr. ARENS. Tell us whether or not Dr. Uphaus solicited you to go to the Red Conference at Peiping, China.

Mr. WILLCOX. I have already said I would hardly call it solicitation. He thought it might be possible that we could be invited.

Mr. ARENS. What made you think your passport would be turned down if you had placed on your application that you proposed to go to Red China?

Mr. WILLCOX. Well, Dr. Uphaus was unable to get a passport because he had been to another of these peace conferences.

Mr. ARENS. Did you know that prior to the time you made this application?

Mr. WILLCOX. Surely. I figured the only way that we had a chance of going was because we did not know anything about China and we did not know anything about the peace movement.

Mr. ARENS. Did you figure that before you made this application to get your passport to go to France?

(The witness consulted with his counsel.)

Mr. WILLCOX. I figured that the best thing to do was to go to France and see what developed, if the Turkish business developed I would go to Turkey.

Mr. ARENS. Did you sort of figure that you had better not list Red China as one of the places of destination in your application?

Mr. WILLCOX. Obviously. What would you expect?

Mr. SCHERER. May I ask a question, Mr. Chairman?

Mr. Witness, you swore to the statements you made in that application for a passport, did you not?

Mr. WILLCOX. I believe so, sir.

Mr. SCHERER. Then you knew at the time you made this application that you were committing perjury, did you not?

Mr. WILLCOX. I certainly did not.

Mr. SCHERER. You did not?

Mr. WILLCOX. No.

Mr. SCHERER. Your testimony clearly indicates that your sole ob- was going to China and you just said that you did not think that you

would get a passport if you indicated that you were going to attend this conference in Red China, so you did obtain a passport by fraud and by making false statements under oath, and that constitutes perjury.

Mr. WILLCOX. I think not, sir.

Mr. SCHERER. I think the record is clear that it does.

Mr. ARENS. Tell us, if you please, sir, when did you arrive in France?

Mr. WILLCOX. It seems to me about September.

Mr. ARENS. How long did you stay in France?

Mr. WILLCOX. Between 2 and 3 weeks, I believe.

Mr. ARENS. When did you leave France?

Mr. WILLCOX. It was late in September or early in October, I would not be sure.

Mr. ARENS. Did anything happen in France with reference to any proposed travel by yourself to Red China?

Mr. WILLCOX. Yes.

Mr. ARENS. And what happened? Tell the committee.

Mr. WILLCOX. Well, we were approached.

Mr. ARENS. Who is "we," first of all, please, sir?

Mr. WILLCOX. Perhaps I had better say "I," sir, in view of the restrictions in the committee rulebook.

The CHAIRMAN. Do not say "I" if it was "we." Tell the truth. Go ahead.

Mr. WILLCOX. We were given a visa on a separate sheet of paper permitting us exit from France, and we went down to the airport and bought our tickets.

Mr. ARENS. Mr. Willcox, you are under oath to tell the truth. Will you tell this committee, if you please, sir, who approached you and what was said when the arrangements to go to Red China were made?

Mr. WILLCOX. As I recall it, we were sent to see the editor of a magazine, but I cannot remember the name of the magazine.

Mr. ARENS. Who sent you there?

Mr. WILLCOX. I think there was an office of the World Peace Council in Paris.

Mr. ARENS. How did you get to the office of the World Peace Council in Paris?

Mr. WILLCOX. Well, we went around there and inquired if they knew us and they did not know us.

Mr. ARENS. Mr. Willcox, I wish that you would just tell this committee how you happened to make arrangements in Paris to go to Red China. Just tell us about it.

Mr. WILLCOX. Let me say I was very much interested in China, that I had read Edgar Snow's book, and Jack Sheldon's book and I wanted very much to go, and that I had heard that there was a possibility of going and that it would be through the World Peace Council, and I went to the offices of the World Peace Council to see what the possibilities were.

Mr. ARENS. This burning desire to go to Red China did not just spontaneously develop after you arrived in France, did it?

Mr. WILLCOX. Pardon me.

(The witness consulted with his counsel.)

Mr. WILLCOX. Would you repeat the question, sir?

Mr. ARENS. This burning desire to go to Red China that you just described, did not just spontaneously develop after you landed on the soil of France, did it?

Mr. WILLCOX. No; but up to that time it had always been like a burning desire to see the back side of the moon.

Mr. ARENS. Tell us how you happened to make arrangements there in Paris to go to Red China, and what processes you went through, and whom you saw, and what you did.

Mr. WILLCOX. Well, as I say, we went to the offices of, I think it was the World Peace Council, and I remember we were sent to the office of a magazine editor and I think it was his secretary that eventually handed us the visa on this separate piece of paper that gave us exit from France and told us to go down to the airport and take a plane.

Mr. ARENS. Did you display your American passport to these folks who made the arrangements for you?

(The witness consulted with his counsel.)

Mr. WILLCOX. As far as I can remember, sir, they did not even ask to see our passports.

Mr. ARENS. Did your passport contain a restriction on travel to Red China?

Mr. WILLCOX. Well, I understand not, sir. It had a rubber stamp which said it was not valid in China and other countries, but it did not say that an American could not go to these places, only that his passport was not valid.

Mr. ARENS. And this visa you obtained in Paris to go to Red China was on a separate piece of paper, is that correct?

Mr. WILLCOX. That is correct.

Mr. ARENS. Where did you go from Paris?

Mr. WILLCOX. I think we stopped in Belgium, Czechoslovakia, I think we took gas in Poland, and we went through the Soviet Union.

Mr. ARENS. Before you left Paris did you get yourself designated as a delegate to this peace conference at Peiping, Red China?

Mr. WILLCOX. Not that I recall.

Mr. ARENS. Do you know whether or not you were designated as a delegate?

Mr. WILLCOX. I was designated as a delegate and accepted as such when I got there.

Mr. ARENS. Could you give us your best recollection as to the actual time that you left France, and how late in September it was?

Mr. WILLCOX. Let me see. We were in Peiping for National Day, which was October 1, and we must have spent anywhere from a week to 10 days on the way. So it would have been around the 20th, I should think.

Mr. ARENS. Around the 20th of September that you left Paris.

Mr. WILLCOX. I should think so.

Mr. ARENS. And when did you arrive in Peiping?

Mr. WILLCOX. I think it was the 30th or the 31st — there would not be any 31st — but it would be the 29th or 30th.

Mr. ARENS. Of September?

Mr. WILLCOX. Yes, sir.

Mr. ARENS. I lay before you a photostatic copy of the Shanghai News of September 26, 1952, 4 days before you arrived in Red China, in which is set forth the list of the American delegation to that con-

ference, including among others Henry Willcox, engineer, and Anita Willcox, artist. I invite your attention to that article on the 26th, some 4 days before you arrived in Peiping.

Now, can you tell the committee how you happened to have been designated and publicly described as a delegate to the Peiping Conference 4 days before you arrived there?

Mr. WILLCOX. I do not believe I can tell you when the actual—what should I say—designation took place.

The CHAIRMAN. Who designated you?

Mr. WILLCOX. Well, my impression would be, sir, that the Americans who gathered at Peiping sort of recognized each other and said, "This is it," and we did not have any Congressmen with us or any Secretaries of State.

The CHAIRMAN. That is natural, they would not have been there.

Mr. WILLCOX. All other countries did, that is of the Pacific group.

The CHAIRMAN. Who was it that selected you as the spokesman for the United States representation?

Mr. WILLCOX. I can only say, sir, it was very catch-as-catch-can.

The CHAIRMAN. This was done before you arrived?

Mr. WILLCOX. Probably.

The CHAIRMAN. Who were the people over there who would have passed on the question of the spokesman for the United States delegation?

Mr. WILLCOX. I think that I can say honestly that I do not know. I believe a telegram came from New York, probably to Paris, to accredit us, and I have no idea who sent it or to whom it was sent.

The CHAIRMAN. To accredit you?

Mr. WILLCOX. To accredit us as delegates.

The CHAIRMAN. And by "us," you mean who?

Mr. WILLCOX. All right, sir, I mean myself and my wife.

The CHAIRMAN. From whom did the telegram come in the United States?

Mr. WILLCOX. What is that?

The CHAIRMAN. Who sent the telegram from the United States accrediting you and your wife as delegates?

Mr. WILLCOX. I would not know, sir, I do not know.

The CHAIRMAN. You want us to believe that you received a telegram from someone you did not know, accrediting you and, as a result of that, you went to Red China as a United States delegate to this Communist conference, is that right?

Mr. WILLCOX. Pardon me, I did not say we received the telegraph, I think the telegram went to the World Peace Council, probably in Paris, vouching for us as delegates. I never saw the telegram.

The CHAIRMAN. Who notified you that you had been selected as a delegate?

Mr. WILLCOX. What is that?

The CHAIRMAN. Who notified you that you had been selected as the United States delegate?

Mr. WILLCOX. That I honestly cannot remember.

Mr. MOULDER. Prior to interrogation by the chairman, you said, "we gathered there and sort of recognized each other." That makes a very strong impression upon me. Was there any acquaintance of those who gathered there, or any prior arrangement to gather there, which caused you to recognize one another?

Mr. WILLCOX. Well, you know, Americans that far from home would be glad to meet each other.

Mr. MOULDER. I know, but the way I perceived the statement, you said, "We recognized each other."

Mr. WILLCOX. I meant by that, we recognized each other as delegates, and we told the Chinese delegation that this is us.

Mr. MOULDER. How many of you were there?

Mr. WILLCOX. About 15. May I submit the report of the delegation which was printed up?

The CHAIRMAN. Did you submit that to the United States Department of State?

Mr. WILLCOX. I am not sure if we submitted it hitherto. I am quite sure that they have a copy.

The CHAIRMAN. I know the Department of Justice has, but I am wondering whether the State Department has one.

Mr. WILLCOX. I believe this is a complete list of the delegates, each one reporting what he was interested in.

(Documents were handed to the committee.)

Mr. ARENS. I respectfully suggest this document, to which we have just been alluding, be designated as "Willcox Exhibit No. 2" and incorporated by reference in the record.

The CHAIRMAN. All right.

Mr. ARENS. Did you know Edwin H. Cerney before you left the United States?

Mr. WILLCOX. No, sir.

Mr. ARENS. Of the delegates at the Peiping Peace Conference whom did you know prior to the time you left the United States?

Mr. WILLCOX. Can I see a copy of that book?

Mr. ARENS. Which book?

Mr. WILLCOX. The report I just handed you, there was a last copy. There was one person and I am not sure she was a delegate, or not. There was one person that we had met before.

Mr. ARENS. Who paid your expenses from Paris to Peiping?

Mr. WILLCOX. The World Peace Council, to the best of my belief.

Mr. ARENS. Did you display to the World Peace Council there your credentials identifying yourself so that they would pay your expenses?

Mr. WILLCOX. No, sir; there was no such formality.

Mr. ARENS. How did you get your expenses paid from Paris to Peking?

Mr. WILLCOX. Well, I really do not know. We were put on a plane and we would go and we would not pay any fare. I will say that I made contributions to the peace movement in the United States which I think are substantially equivalent to perhaps what my expenses might have cost, but there was no recognition of the obligation.

Mr. KEARNEY. I would like to ask the witness this question: What was the peace conference in the United States to which you made contributions?

Mr. WILLCOX. The peace movement.

Mr. KEARNEY. What peace movement?

Mr. WILLCOX. There was a Committee for Peaceful Alternatives, and I had been looking for a long time for some relatively respectable group who might sponsor peace in the United States because I felt that the United States was drifting as far as getting along with the rest of the world was concerned.

Mr. KEARNEY. Are you a signer of the Stockholm Peace Petition?

Mr. WILLCOX. I probably am, sir, but I do not recall.

Mr. KEARNEY. Did you know that that was sponsored by the Communist Party?

Mr. WILLCOX. I would sign.

Mr. KEARNEY. You would sign anything?

Mr. WILLCOX. I would go along with anything that was going the way I wanted to go, sir.

The CHAIRMAN. I have just been looking over your passport, Mr. Willcox—are you through with your conference? I have been looking over your passport and I find that on the very last page, with 38 pages intervening from the last legal visa to the last page, what obviously was an attempt to remove a visa. How did this page happen to be erased?

Mr. WILLCOX. That was erroneously stamped by a Polish customs official when he should have stamped the separate visa, and he tried to take it off.

The CHAIRMAN. A separate visa? Just a moment, let me pursue this. This visa was inserted by the Polish Government? Or a representative of the Polish Government?

Mr. WILLCOX. The visa would be permission from a country to come into it.

The CHAIRMAN. I understand that. So that a country gave you permission to come into it, and what country was it?

Mr. WILLCOX. Well, in this case it must have been Poland.

The CHAIRMAN. Was it Poland?

Mr. WILLCOX. I presume so.

The CHAIRMAN. Where was this United States passport stamped by a representative of the Polish Government?

Mr. WILLCOX. In Poland.

The CHAIRMAN. In Poland?

Mr. WILLCOX. Yes, sir.

The CHAIRMAN. So that you went into Poland without permission from the United States and when you were in Poland, you obtained a visa from an official of the Communist Polish government?

Mr. WILLCOX. No, I think the visa was gotten before I entered.

The CHAIRMAN. So that you entered with a visa?

Mr. WILLCOX. Yes.

The CHAIRMAN. Why did you attempt to remove it from your passport?

Mr. WILLCOX. Well, because it did not belong there.

(The witness consulted with his counsel.)

The CHAIRMAN. What is your answer, Mr. Boudin?

Mr. BOUDIN. What the witness has said under oath in litigation, and it is a matter under litigation, that he did not remove it.

The CHAIRMAN. I want you to tell me why you attempted to remove a visa that appears on the last page and not where it should have appeared with the other visas.

Mr. WILLCOX. I wish to say, sir, that that is not what is known as a visa, that customs stamp.

The CHAIRMAN. That is not a customs stamp at all.

Mr. WILLCOX. I believe it is, and I believe that is what the State Department experts, the FBI experts found it to be.

Mr. ARENS. Mr. Chairman, as the testimony will reveal, that stamp was inserted in his passport on his way back from Red China, and the passport itself has been sent to the FBI laboratory, and the FBI processes have developed by technicians that they know what was in the original stamp, which appears in this photostat which I will leave.

The CHAIRMAN. So that permission to enter Poland was given to this man while he was in China.

Mr. ARENS. On his way back from Red China.

The permission to enter Poland on your way to Red China was given to you in Paris, is that correct?

Mr. WILLCOX. I am not sure, sir. The World Peace Council took care of all of these things.

Mr. ARENS. But the World Peace Council did not have your passport in Paris, did it?

Mr. WILLCOX. No.

Mr. KEARNEY. You did not contact the American Embassy in Paris when going to Poland or Red China, did you?

Mr. WILLCOX. No, sir.

Mr. KEARNEY. You knew better than that.

Mr. WILLCOX. Yes, sir.

The CHAIRMAN. I want at this point to call your attention to something I just discovered this morning, because I have been interested in the attempts made by so-called tourist agencies to have Polish citizens, or former Polish citizens visit their relatives in Poland. This is the warning contained in the pamphlet issued by the State Department and I trust that every person born in Poland who contemplates a visit to his former native land will bear in mind, this, that there is no treaty between the United States and Poland defining the status while in Poland of former Polish citizens who have become American citizens, nor of persons born in the United States, native-born citizens. So under the Polish law, the Polish Government regards those returnees as Polish citizens and will not permit them to leave Poland. I trust that anybody who contemplates a visit to Poland will bear that in mind, or that fact in mind, because they may have the same fate that a number of French people had several years ago, or 2 years ago, I think, who went to Poland on a visit and they are still behind the Iron Curtain. They are enjoying the freedom of Red Poland.

Mr. ARENS. Mr. Willcox, what position did you occupy in the American delegation at the Peiping Conference?

Mr. WILLCOX. Vice chairman, I believe.

Mr. ARENS. Who was chairman of the delegation?

Mr. WILLCOX. Louis Wheaton.

Mr. ARENS. Were you present when Louis Wheaton, chairman of the American delegation, gave a report including the following:

To end the disastrous tension, it is necessary, first of all, to end the wars now being conducted with such horror and savagery. Here we say solemnly that what has been done in the name of our country, without sufficient opposition from our people against the people of Korea and China is an unspeakable shame before history and humanity.

Were you present when the chairman of your delegation made that report?

Mr. WILLCOX. If that was the report made in the full session of the conference, I was present.

Mr. ARENS. Did you concur in this report of the chairman of the delegation expressing the great shame at the unspeakable offenses by your country?

Mr. WILLCOX. Do we not all regret it?

The CHAIRMAN. Regret what?

Mr. WILLCOX. The unspeakable offenses.

The CHAIRMAN. What offenses are you talking about?

Mr. WILLCOX. The use of the napalm bomb on the civilian population.

Mr. ARENS. What is that?

Mr. WILLCOX. The use of—

Mr. ARENS. What is the napalm bomb?

Mr. WILLOX. It is a bomb, an incendiary bomb of the latest type, I guess.

Mr. ARENS. Were you present when Isobel Cerney of the American delegation made her report and apologized for the alleged brutality of the American soldiers toward prisoners of war?

Mr. WILLCOX. I presumably was, if it was made on the floor of the convention.

Mr. ARENS. And did you concur in her report as a representative of the American delegation, in apologizing to the Communists for the alleged brutality of the American boys in their alleged activities toward prisoners of war?

Mr. SCHERER. Was this conference held while our boys were fighting in Korea?

Mr. ARENS. Yes.

(The witness consulted with his counsel.)

Mr. ARENS. Could you answer the question?

Mr. WILLCOX. I certainly do not remember that detail very well.

Mr. KEARNEY. Was there any mention made at the conference of atrocities committed by the North Koreans or the Chinese troops where they tied American soldiers' hands behind their backs and shot them, tortured first and then shot? Or was it a one-way street?

Mr. WILLCOX. No, I cannot remember that either, sir.

Mr. ARENS. Mr. Willcox, did you join when the American delegation issued its demand that the United States Government cease its bacteriological warfare and the bombing of Korean villages? Did you join in that protest made in Red China while our boys were fighting in Korea?

Mr. WILLCOX. I do not recall it in those terms, sir.

Mr. ARENS. What are the terms in which you do recall it?

Mr. WILLCOX. I do not recall. Is this a motion or resolution of the conference or what is it?

Mr. ARENS. I lay before you, Mr. Willcox, a photostatic copy of the Shanghai News, of April 8, 1952, in which this appears:

Likewise, the American delegation joins in the demand that bacteriological warfare and the bombing of Korean villages must cease.

I will ask you whether or not that is a true and correct representation of the position taken by the American delegation at the Peiping Conference including yourself.

(The witness consulted with his counsel.)

Mr. WILLCOX. This is a report of Isobel Cerney's speech, and I cannot say of my own recollection whether she said these things or not.

Mr. ARENS. Did you join in the report of the American delegation on this bacteriological warfare?

Mr. WILLCOX. This, you mean?

Mr. ARENS. Any report of the American delegation.

Mr. SCHERER. He was vice chairman of the delegation.

Mr. WILLCOX. Is it going to interfere with my right to a passport if I examined evidence and came to a conclusion?

Mr. ARENS. On an issue as serious and deadly as this, can you not tell this committee of the United States Congress, whether or not while our boys were dying in Korea, you joined in a report of the American delegation in Red China condemning this country for the alleged use of bacteriological warfare?

Mr. WILLCOX. Well, let me see.

(The witness consulted with his counsel.)

Mr. SCHERER. I suggest that counsel let his client answer one question.

Mr. BOUDIN. I do not understand your remark. The witness is just conferring with me and has asked for my advice.

The CHAIRMAN. Just a moment, Professor.

Mr. BOUDIN. Yes, Mr. Chairman.

The CHAIRMAN. Go ahead.

Mr. ARENS. There is a question pending, as to whether or not while he was in Red China as vice chairman of the American delegation he joined in the declaration of the American delegation there condemning the United States for the alleged use of bacteriological warfare.

The CHAIRMAN. Do not ask him that question, because the fact is that he was, and now ask another question.

Mr. SCHERER. May I interrupt, Mr. Chairman, and ask a question? Witness, do you know the definition of treason?

Mr. WILLCOX. Yes, giving aid and comfort to the enemy.

Mr. SCHERER. In time of war.

Mr. WILLCOX. In time of war.

Mr. SCHERER. That is what you were doing while the boys were dying in Korea, you were giving aid and comfort to the enemy of the United States.

Mr. WILLCOX. We always felt we were receiving aid and comfort from them.

Mr. ARENS. Did you take the greetings of Willard Uphaus to the delegation while you were in Red China?

Mr. WILLCOX. We did.

Mr. ARENS. Where did you get greetings you took to the American delegation from Willard Uphaus?

Mr. WILLCOX. I think they were brought over by one of the other delegates.

Mr. ARENS. Were they brought over after you got there?

Mr. WILLCOX. Either that or they were telegraphed, sir, and I am not perfectly sure.

Mr. ARENS. What is your best recollection as to how you obtained the greetings from Willard Uphaus to the American delegation while you were in Red China?

Mr. WILLCOX. Well, perhaps you have some information, but my impression is that a telegram was read or a cablegram.

Mr. ARENS. If someone else brought these greetings from Willard Uphaus to the delegation, to Red China, can you explain to the com-

mittee why that particular person who brought the message did not present the message?

Mr. WILLCOX. Well, I think it was presented by the delegation, as such, as a group.

Mr. ARENS. Did you not present the message from Willard Uphaus?

Mr. WILLCOX. Not that I recall. Does it say so?

Mr. ARENS. Did not the message from Willard Uphaus to the delegation read as follows:

I am delighted to be able to send greetings and best wishes to your great conference through my good American friends, Mr. and Mrs. Henry Willcox?"

Is that not what the message read from Willard Uphaus?

Mr. WILLCOX. It is new to me.

Mr. ARENS. I will lay before you a photostatic copy of the Shanghai News of Thursday, October 9, 1952, in which is set forth the message of Willard Uphaus, alleged to be a leader of the American Peace Crusade, and I ask you whether or not that refreshes your recollection.

(A document was handed to the witness.)

(The witness consulted with his counsel.)

Mr. WILLCOX. To the best of my recollection that was the telegram that Willard Uphaus sent to the conference.

Mr. ARENS. I respectfully suggest this document be marked "Willcox Exhibit No. 3" and incorporated by reference in the record.

The CHAIRMAN. It will be so incorporated.

Mr. ARENS. I have in my hand a report of the Shanghai News of October 11, 1952, indicating the attacks made against the United States Government by delegates from all over the world; that is, the barbarous atrocities which were being alleged to be committed and the war blocs headed by the United States and that sort of thing, and all conglomeration of speeches attacking the United States Government. Did any single individual on the American delegation, including yourself, to your knowledge, during the conference, stand up and defend the United States Government in that conference at Peiping, Red China?

Mr. WILLCOX. I would say, "No," sir. It is pretty hard to do. I wish that we had had responsible citizens of the United States and responsible officers of the United States Government at that conference to stand up and do just that.

The CHAIRMAN. Responsible people at that conference, you mean? Are you deploring the fact that the United States was not represented by responsible people at that conference?

Mr. WILLCOX. That is right, sir.

Mr. SCHERER. Mr. Chairman, it is almost unbelievable that boys who were in the Army of the United States at that time who were brainwashed and tortured were prosecuted because they went over to the other side. Now, here we have a group of American citizens who gave aid and comfort to the enemy during the very time that our boys were fighting and they are walking the streets. This man, and Wheaton, participated at that very moment in attacking the United States and in attacking the Armed Forces of this country, and certainly were giving aid and comfort to our enemies all over the world.

The CHAIRMAN. Before you go further, I ask you who the 15 people were in the United States delegation. I do not find the names

of any Americans listed. Who were the 15 people who wrote this?

Mr. WILLCOX. I think they are all there, sir, the authors of all of those reports.

The CHAIRMAN. This is the United States delegation to the Peace Conference of the Asian and Pacific region, and nowhere in here are the names of the 15 people that you say were there.

Mr. WILLCOX. I think that you will find that there are 15 reports there, each one accredited to a writer, to the maker of the report, and that those are the 15 delegates.

The CHAIRMAN. These are not Americans, and I want to know who the Americans are. Are these the only Americans there, whose names appear as contributors to various items or various articles?

Mr. WILLCOX. It is a completed list of delegates; yes, sir.

The CHAIRMAN. How was that complete list of delegates selected?

Mr. WILLCOX. Well—

(The witness consulted with his counsel.)

Mr. WILLCOX. I think we were brought together at the Peace Hotel, in Peiping, and we sat down together and had an organization meeting and reported to the Chinese that this is the American delegation.

The CHAIRMAN. The fact of the matter is that each and every one of these people were selected before they left the United States, is it not?

Mr. WILLCOX. They did not all leave the United States, some were already in China.

The CHAIRMAN. It was determined who they would be before they arrived there, was it not?

Mr. WILLCOX. In some cases, it certainly was. I am not sure whether all or not.

Mr. ARENS. Were you in Red China when the turncoat soldiers were brought into Peiping from the Korean war?

Mr. WILLCOX. No, sir; not to my knowledge.

Mr. ARENS. Were you at the Peiping conference when the Chinese delegation, or rather delegate got up, Dr. Chen Wen-kuei, and he called on peace partisans of all countries to take action to disseminate widely the commission's report to denounce and stop United States germ warfare? Were you there when he gave his report and urged everyone to disseminate a commission's report to get your Government to stop germ warfare?

Mr. WILLCOX. I cannot recollect the circumstances, sir, and I cannot possibly remember the Chinese names.

Mr. ARENS. Do you recall the report, or a report, respecting alleged activities of the United States in the use of germ warfare?

Mr. WILLCOX. The International Scientific Commission made a very full report, and a copy of which I have seen.

Mr. ARENS. And did you stand up like a red-blooded American and protest it and say, "No; my country is not engaged in this sort of thing"?

(The witness consulted with his counsel.)

Mr. WILLCOX. I can hear very well, sir.

Mr. MOULDER. You said a moment ago that responsible people from America were not represented there. What do you mean by that?

The CHAIRMAN. I think it speaks for itself.

Mr. WILLIS. He has not answered that last question, which was a very important one.

(The witness consulted with his counsel.)

Mr. WILLCOX. Do you want what I mean by "responsible people"? I would have liked to have seen a few people who were more prominent in American life than the delegates that we were able to get. There should have been a few State governors, and a few Members of Congress, and a few industrialists of some stature and the——

Mr. MOULDER. By that answer then, you did not mean that if there had been more responsible people there, they would have protested vigorously against the statements that Mr. Arens was questioning you about?

Mr. WILLCOX. No; I do not suggest that, and I would not know that.

Mr. MOULDER. In other words, you would consider your delegation fully responsible in that respect?

Mr. WILLCOX. Sure; able to weigh evidence, sir.

Mr. KEARNEY. Do you honestly believe in your own heart that you could get responsible men like industrialists and Members of Congress and governors of the States to associate with such a group of characters as were over there?

Mr. WILLCOX. Well, I would like to believe it, sir, and most of the other countries seemed to.

Mr. KEARNEY. That is wishful thinking on your part, is it not?

Mr. WILLCOX. Apparently so.

Mr. ARENS. Under date of January 18, 1955, did you and your counsel here have a consultation with the officials of the Department of State with reference to your pending application for a passport?

Mr. WILLCOX. What is the date?

Mr. ARENS. January 18, 1955.

(The witness consulted with his counsel.)

Mr. WILLCOX. We cannot verify the date.

Mr. ARENS. Did you have a consultation with them approximately at that time?

Mr. WILLCOX. Probably; yes, sir.

Mr. ARENS. And did you in that consultation to the State Department, when you were trying to get a new passport last year, tell the officials of the State Department that while you were in the Peiping Conference, germ warfare was never discussed?

Mr. WILLCOX. I do not think so, sir. I think we made a statement that communism as such was never discussed, to the best of our belief.

Counsel suggests that I remind you that this stuff is before the courts.

Mr. ARENS. It is now before the committee. Answer the question as to whether or not when you made application recently for a new passport you told the officials of the Department of State when you were in the Peiping Conference, germ warfare was never discussed.

Mr. BOUDIN. That question was just answered.

Mr. WILLCOX. I remember no such statement.

Mr. ARENS. Were you present at the Peiping Conference when a delegate, your wife, Anita Willcox, made a speech?

Mr. WILLCOX. I was.

Mr. ARENS. In which she said among other things:

We come as representatives of 70 percent of the people of the United States. We of a majority of our people have come here to demand an end to the killing of prisoners of war at Koje and Cheju. On October 1, while we peace delegates watched the color and glory of a free people celebrating their National Day, 45 more men were killed at Cheju for the crime of daring to mark with joy the same occasion. Uplifted by the joyous singing of 10,000 children and strengthened in our anger by their strength, we denounce the criminal attempt to exterminate a people, their industry, and their culture. Our Armed Forces destroy things the people live by, granaries and crops. They call homes sampans, schools and horses "military targets." Our Air Force blows up ox carts. Our Navy sinks fishing boats. For this heroism the parents of our soldiers have refused medals awarded by our Government to their dead sons. To most of our people, the horrible facts of our use of Napalm are only now becoming known. Of the facts of the germ warfare they are still unaware.

Were you present when Anita Willcox, your wife, addressed the conference in that vein?

Mr. WILLCOX. On page 7—

Mr. ARENS. I think it is clear, that this reference to Anita Willcox is to a public statement made and not to a confidential communication between spouses.

Mr. BOUDIN. The rule does not refer to confidential communications, and if you will look at rule 12, it refers to anything dealing with a wife.

Mr. MOULDER. He merely asked the question if he was present.

Mr. BOUDIN. The witness can refuse to answer under the privilege.

The CHAIRMAN. Do you refuse to answer the question?

(The witness consulted with his counsel.)

Mr. WILLCOX. Well, I think under rule No. 12 on page 7, it is my duty to refuse, is it not?

The CHAIRMAN. I do not think so, the courts have frequently ruled and it is a well settled principle of law that a public statement never enjoys the status of a privilege. Now you are being asked about a public statement. Were you present when the statement was made in public by this lady, whatever her name is?

Mr. WILLCOX. May I consult counsel, please?

(The witness consulted with his counsel.)

Mr. WILLCOX. I was present when my wife made her statement but I cannot recall any particular paragraph of it.

Mr. ARENS. Do you recall her condemnation of the United States for alleged brutalities, and alleged use of bacteriological warfare?

The CHAIRMAN. He has answered the question.

Mr. WILLCOX. It was a very minor part of the story and I cannot recall.

Mr. ARENS. I lay before you a photostatic copy of the Shanghai News of October 14, 1952, in which is set forth the appeal to the peoples of the world adopted by the Peiping Conference, allegedly adopted unanimously. I invite your attention specifically to this part of the resolution adopted at the peace conference:

The acts of war and preparation for war now being carried out in these regions as well as in other parts of the world by the Government of the United States are disastrous to the peoples of the Asian and Pacific regions, and it is disastrous to the peoples of the world.

There is other language in that vein. Did you concur in that resolution which was adopted by this conference at Peiping, Red China?

Mr. WILLCOX. Well, I think that you are giving it very undue emphasis. This is quite a large document, and one particular paragraph is that way, and the appeal as a whole, I think, was a very carefully studied statement.

Mr. MOULDER. He asked you a question, if you concurred in that one paragraph?

Mr. WILLCOX. In the context of the rest of the speech, I think that it was a balanced criticism; yes, sir.

Mr. ARENS. Is there one thing in that resolution, one thing in that statement which is favorable to the Government of the United States or to the boys who were laying down their lives in Korea on behalf of this Government?

Mr. WILLCOX. Well, I would take this paragraph:

We reaffirm our firm conviction that countries with different social systems and ways of life can coexist in peace and mutually beneficial cooperation.

That does not exclude the United States. It was the idea of this conference to secure more peaceful relations between all countries of the world.

Mr. MOULDER. Would that mean peaceful coexistence insofar as and as long as we permit the Soviet Union to take the aggression of dominating and controlling under their totalitarian iron heel, the rest of the world?

Mr. WILLCOX. I would not think so, sir. It does not occur to me that the Soviet Union is in a position to come over to our half of the world at all.

Mr. ARENS. I respectfully suggest that the photostatic copies of the identified editions of the Shanghai News which we have here on display pertaining to the Peiping Peace Conference be marked "Willcox Exhibit No. 4" and incorporated by reference in this record.

The CHAIRMAN. They will be so incorporated.

Mr. ARENS. Mr. Willcox, after you returned from this Peiping Conference in Red China, did you do some public speaking over the country?

Mr. WILLCOX. As much as I could; yes, sir.

Mr. ARENS. Did you express to the American people and the various groups to whom you spoke the same general sentiments which were expressed in the Peiping Conference?

Mr. WILLCOX. Not so much, sir; it was mostly a report on the magnificent social and educational, industrial and health progress that the new government was making.

Mr. ARENS. Was that pursuant to the trip that you made around in Red China?

Mr. WILLCOX. That is right.

Mr. ARENS. Was that at the expense of the Communists there in Red China?

Mr. WILLCOX. I think the Chinese or China Peace Committee financed it.

Mr. ARENS. Did you bring back from the Peiping Conference a speech or broadcast from Dr. Hardyman?

Mr. WILLCOX. There was a little pamphlet that Hugh Hardyman wrote.

Mr. ARENS. And did you bring it back?

Mr. WILLCOX. Yes.

Mr. ARENS. Did you see that it was disseminated in the United States?

Mr. WILLCOX. I think that we gave it to the reporter for the New York Times.

Mr. ARENS. Did that thing say among other things.

No one can say for how long the peoples of the Pacific regions will continue to hold us guiltless of action of our Armed Forces.

It speaks about the disease and mass destruction of people there and it speaks about germ warfare and mass destruction of civilian populations, and that type of propaganda, is that contained in the Hardyman message that you brought back and disseminated?

Mr. WILLCOX. It is a very small part of it. He was very much impressed by the way that the Chinese people received us in view of the state of tension that exists when their boys were fighting our boys.

Mr. ARENS. Does it contain allegations that the United States is engaged or was engaged in bacteriological warfare and mass extermination of civilian populations?

Mr. WILLCOX. I think that there is a short part of it to that effect.

Mr. MOULDER. Have you seen Hugh Hardyman since you returned?

Mr. WILLCOX. Yes, sir.

Mr. MOULDER. How many times?

Mr. WILLCOX. Two or three.

Mr. MOULDER. Were you ever at his youth summer camp in California, which he conducted and where Communist philosophy and propaganda was taught?

Mr. WILLCOX. No, sir.

Mr. MOULDER. You never were?

Mr. WILLCOX. No, sir.

Mr. ARENS. What financial contributions have you made, Mr. Willcox, to the peace groups, we will say?

Mr. WILLCOX. Well, I have no list of it. I would put it between one and two thousand dollars.

Mr. ARENS. In the aggregate?

Mr. WILLCOX. Probably.

Mr. ARENS. What contributions have you made to the Progressive Party?

Mr. WILLCOX. Somewhat more than that. I suppose that I have made more contributions to the Democratic Party than any other political party.

Mr. ARENS. What contributions have you made to organizations which to your knowledge were Communist fronts?

Mr. WILLCOX. Well, you will probably say I should, but I do not know what organizations are Communist fronts.

Mr. ARENS. How much have you contributed to the Civil Rights Congress?

Mr. WILLCOX. Something over \$1,000.

Mr. ARENS. Did you contribute to the bail bond fund of the 12 Communists who were on trial in Foley Square?

Mr. WILLCOX. I do not think so.

Mr. ARENS. Have you addressed the California Labor School with respect to your trip to Red China?

Mr. WILLCOX. That was one of our meetings.

Mr. ARENS. And did you express to them at that meeting your great alarm and concern that the United States would do all of the things that were alleged to have been done at the Peiping, Red China, Conference?

Mr. WILLCOX. The burden of our speeches was always our admiration for the things that the Chinese were doing, and we did not spend much time on criticizing our own country.

Mr. MOULDER. Was Hugh Hardyman present when you spoke in California?

Mr. WILLCOX. Yes, but not at the Labor School, if I recall correctly. We spoke several times in California.

Mr. MOULDER. Did you speak there at that youth summer camp which he sponsored?

Mr. WILLCOX. No, sir, I never was at the youth camp.

Mr. ARENS. Have you made contributions to the Committee for Peaceful Alternative?

Mr. WILLCOX. I have.

Mr. ARENS. And could you give us an estimate of the amount of money you have contributed to that organization?

Mr. WILLCOX. Well, I think that is probably between \$1,000 and \$2,000.

Mr. ARENS. Have you contributed money for the defense of people prosecuted under the Smith Act?

Mr. WILLCOX. I think so, minor amounts.

Mr. ARENS. What would you regard as a minor amount?

Mr. WILLCOX. Well, anything in the vicinity of \$100 or down.

Mr. ARENS. How much have you contributed in the aggregate to the defense of people being prosecuted under the Smith Act?

Mr. WILLCOX. Well, as I say, I do not recall very much. It is probably in the low hundreds or less. I have contributed over the past 10 years \$14,000 to tax-exempt causes and I generally feel it is my responsibility to make some contributions to social efforts along the lines that I approve of.

Mr. ARENS. Are you identified with the American Committee for Protection of Foreign Born, which is one of the oldest Communist fronts in the Nation?

Mr. WILLCOX. Very slightly.

Mr. ARENS. What is your identification with the American Committee for Protection of Foreign Born?

Mr. WILLCOX. I see you have me down as a sponsor.

Mr. ARENS. I do not have you down for anything. Look at this letterhead and see if someone else has you down as a sponsor of the American Committee for Protection of Foreign Born.

Mr. WILLCOX. Yes. I probably agreed to do that, and I felt it was the least I could do. Their very persuasive literature has been coming over my desk for years and I have always felt I did not do enough for them. I think that I have made some small contributions since that time.

Mr. ARENS. To the American committee?

Mr. WILLCOX. Yes, sir.

Mr. ARENS. And you are, of course, listed as a sponsor there.

Mr. WILLCOX. I think that I decided that was the least I could do.

Mr. ARENS. Have you contributed to the support of the Trenton Six?

Mr. WILLCOX. Very much.

Mr. ARENS. How much have you contributed to the support of the Trenton Six?

Mr. WILLCOX. I do not know, maybe \$500. I would doubt that.

Mr. ARENS. You have pending a passport application in the Department of State at the present time, is that correct?

Mr. WILLCOX. Yes, sir.

Mr. ARENS. And where do you propose to go if that passport should be issued to you?

Mr. WILLCOX. I do not know. Possibly fighting for that passport is a public service because I hate to see our country tied up with bureaucratic restrictions.

Mr. ARENS. I have no further questions of this witness at this time, Mr. Chairman.

The CHAIRMAN. The rules under which your passport is being held up were promulgated and devised by the former Solicitor for the State Department under Mr. Acheson, were they not?

Mr. WILLCOX. May I speak to counsel?

(The witness consulted with his counsel.)

Mr. BOUDIN. They were promulgated on August 28, 1952, when Mr. Acheson was Secretary of State. I do not remember who was the Solicitor at the time.

The CHAIRMAN. I think the Solicitor occupies a rather prominent position in the city of Washington at this moment.

Mr. BOUDIN. I do not recall.

The CHAIRMAN. Any questions?

Mr. KEARNEY. Mr. Chairman, I have, I think, a rather pertinent observation to make. After listening to the testimony of this witness, I am firmly convinced that if there was ever a flagrant case of treason, this one here is and I would suggest that the committee send the proceedings to the Department of Justice.

Mr. WILLCOX. Mr. Kearney, will you let me reply to that?

The CHAIRMAN. We know exactly what you would say.

The witness is dismissed, and the committee will stand in recess, after which we will hear several Government witnesses concerning the entry and dissemination of foreign propaganda in the United States. (See Investigation of Communist Propaganda in the United States—Part 1.)

(Recess.)

The CHAIRMAN. The committee will be in order.

Proceed Mr. Arens with the interrogation of witnesses subpoenaed in connection with the unauthorized use of passports.

Mr. ARENS. Mr. Dende, will you please come forward?

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DENDE. I do.

AFTERNOON SESSION—WEDNESDAY, JUNE 13, 1956

**TESTIMONY OF LEOPOLD DENDE, ACCOMPANIED BY COUNSEL,
JULIAN KANAREK**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. DENDE. Leopold Dende, Cosmic, N. J., secretary-treasurer of Polonia International, Inc.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DENDE. Yes.

Mr. ARENS. Are you represented by counsel?

Mr. DENDE. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself for the record?

Mr. KANAREK. My name is Julian Kanarek and my address is 60 East 42d Street, New York City.

Mr. ARENS. Mr. Dende, please tell us what is the corporation with which you are connected.

Mr. DENDE. Polonia International was organized about a year ago for the purpose of importing and exporting various products of Polish origin or of origin that the Poles make abroad in England, France, and so forth. That is why it was called "International." Among other things, we wanted to promote travel between Poles in different countries.

Mr. ARENS. What is your capacity with Polonia International?

Mr. DENDE. Secretary-treasurer.

Mr. ARENS. That is a full-time operation?

Mr. DENDE. Ninety percent of the time.

Mr. ARENS. Do you also have an interest in a newspaper?

Mr. DENDE. I contribute material to a newspaper; yes, sir.

Mr. ARENS. What newspaper is that, please?

Mr. DENDE. Polish American Journal.

Mr. ARENS. Where is that located?

Mr. DENDE. Scranton, Pa.

Mr. ARENS. In what language is it published?

Mr. DENDE. English.

Mr. ARENS. Give us a word about the circulation of that paper.

Mr. DENDE. I am not familiar with the circulation figure because that is up to my nephew, who is the publisher and editor.

Mr. ARENS. In the course of the last year or so, have you had occasion to go to Poland?

Mr. DENDE. Yes.

Mr. ARENS. And where did you apply for your passport?

Mr. DENDE. I renewed my old passport here in Washington.

Mr. ARENS. When was that?

Mr. DENDE. I think it was, to the best of my recollection, either January or February of this year. I do not know exactly the month because I do not have the passport with me.

Mr. ARENS. Did you indicate on your application for a passport that you wanted to go to Poland?

Mr. DENDE. I do not remember that. I probably did—I do not know.

Mr. ARENS. Did you receive your Polish visa before you left the United States?

Mr. DENDE. No.

Mr. ARENS. Where did you go when you left the United States?

Mr. DENDE. To Paris.

Mr. ARENS. How long were you in Paris?

Mr. DENDE. Several days.

Mr. ARENS. Where did you receive your visa to go into Poland?

Mr. DENDE. In Berlin.

Mr. ARENS. Did you go to Berlin after you left Paris?

Mr. DENDE. From Paris I proceeded to Berlin, that is right.

Mr. ARENS. And then from Berlin where did you go?

Mr. DENDE. To Warsaw, Poland.

Mr. ARENS. Did the State Department in the United States know or were they advised by you that your ultimate destination was Poland on this journey which you took in——

Mr. DENDE. I went to Poland in March.

Mr. ARENS. In March of this year?

Mr. DENDE. I did not advise the State Department. However, upon arrival in Poland I reported to the American Embassy.

Mr. ARENS. But you did not give any information to the State Department prior to the time that you left the United States that you intended to go to Poland, is that correct?

Mr. DENDE. So far as I remember, that is correct.

Mr. ARENS. What was the purpose of your mission in Poland?

Mr. DENDE. First of all, I wanted to establish commercial contacts with several concerns so I could import various Polish goods and then also, to explore the possibilities of travel to Poland, since the State Department lifted the ban on such travel last October.

The CHAIRMAN. If the State Department lifted the ban, why did you not get permission from the State Department before you left the United States?

Mr. DENDE. I did not think it was necessary, it was not required.

The CHAIRMAN. You had to have a visa.

Mr. DENDE. No, there is no requirement to require permission from the State Department to go to Poland.

Mr. ARENS. You have to have an American passport to travel abroad, do you not?

Mr. DENDE. Yes, sir.

Mr. ARENS. And that has to be pursuant to an application in which you tell the State Department where you intend to go, does it not?

Mr. DENDE. I do not remember whether it is exactly information required.

Mr. ARENS. Did you on your passport application tell the State Department you were going to go to Poland?

Mr. DENDE. I do not think so, I do not remember.

Mr. ARENS. Did you, at the time you left this country, intend that your ultimate destination on this trip would be Poland?

Mr. DENDE. It was not exactly determined, but it was an effort to go there.

The CHAIRMAN. He has just testified that he went to Poland for the purpose of arranging some sort of commercial activities, so that your purpose in going abroad was to go to Poland on business.

Mr. DENDE. Not only to Poland, but to France and Germany and England and then it was a question of determining whether I will be able to go to Poland.

Mr. ARENS. When you arrived in Poland, did you confer with the Polish Government officials?

Mr. DENDE. Well, first of all, may I ask you, whom do you consider Polish Government officials?

Mr. ARENS. Did you confer there with people in the Polish Government respecting this international travel agency of which you are secretary-treasurer?

Mr. DENDE. If you consider that the Polish Travel Agency, because it is Government-owned, are Government officials, then my answer is "yes."

Mr. ARENS. What were the arrangements which you consummated with the Polish Government Travel Agency?

Mr. DENDE. I have a copy of the agreement.

Mr. ARENS. Give us the essence of it, please, Mr. Dende.

Mr. DENDE. All right. I made arrangements with them for six excursions of Americans of Polish descent to Poland for this year only, on a trial basis.

Mr. ARENS. And how many people were to be involved in the excursions?

Mr. DENDE. A maximum of 500.

Mr. ARENS. On each of the six or in the aggregate?

Mr. DENDE. The total.

Mr. ARENS. That is on a trial basis; is that correct?

Mr. DENDE. That is on a trial basis.

Mr. ARENS. Give us the essence of the financial arrangements between you and the Polish Travel Agency.

Mr. DENDE. They were to receive the sum which they asked for a tour of Poland that would last 8 days.

Mr. ARENS. What money are you to supply to the agency there in Poland?

Mr. DENDE. Well, the agreed price.

Mr. ARENS. What is the agreed price?

Mr. DENDE. You want the exact amount?

Mr. ARENS. The approximate amount, your best recollection?

Mr. DENDE. I can give you exactly, because it is an exact stipulation, \$160 per passenger.

Mr. ARENS. While you were in Poland, did you have a session with Gebert?

Mr. DENDE. Yes, sir.

Mr. ARENS. Identify Gebert for us.

Mr. DENDE. Would you like me first to tell you on whose request I had this session with Gebert?

Mr. ARENS. Tell us first of all, if you had a session with Gebert, and who Gebert is.

Mr. DENDE. Gebert is the former—to my knowledge, to my best knowledge—former editor of the People's Voice of Detroit.

Mr. ARENS. How does he happen to be in Poland now, instead of in the United States?

Mr. DENDE. Again, to the best of my knowledge, Mr. Gebert left Poland about 8 or 9 years ago, under what circumstances——

Mr. ARENS. You mean left the United States; do you not?

Mr. DENDE. Yes, sir.

Mr. ARENS. Bronislaw Gebert was deported, was he not, and he left under deportation proceedings to Poland.

Mr. DENDE. To my knowledge; no.

Mr. ARENS. Is he a Communist?

Mr. DENDE. I do not know, I never asked, but I suppose he is.

Mr. ARENS. Did you return from Poland shortly after the arrangements were consummated in the early part of this year?

Mr. DENDE. I returned from Poland at the end of March.

Mr. ARENS. Have you since then circularized people of Polish nationality in the United States to enlist them to go to Poland?

Mr. DENDE. Not I personally, but the firm that I am a part of.

Mr. ARENS. Have you placed ads in newspapers trying to enlist people to sign up for these excursions to Poland?

Mr. DENDE. Only in one paper.

Mr. ARENS. Have you gotten out circulars?

Mr. DENDE. Yes, sir.

Mr. ARENS. Is this one of your circulars of the Polonia International, Inc.?

Mr. DENDE. Yes.

Mr. ARENS. I respectfully suggest this document be identified as "Dende Exhibit No. 1" and incorporated by reference in the record for retention in the committee files.

The CHAIRMAN. So ordered.

Mr. ARENS. In what paper did you run the ad?

Mr. DENDE. The Polish American Journal.

Mr. ARENS. In response to its request have you supplied this committee with the names of people who have thus far been committed by your agency to take this trip to Poland?

Mr. DENDE. Yes, sir.

Mr. ARENS. On these excursions?

Mr. DENDE. Yes, sir.

Mr. ARENS. Have any names on that list been submitted to you by a man by the name of Dombrowski, from Detroit?

Mr. DENDE. Not by the man himself, but by the group they formed, Excursions to Poland Committee.

Mr. ARENS. Who is Dombrowski?

Mr. DENDE. The late Dombrowski was——

Mr. ARENS. What is his full name?

Mr. DENDE. I think it is Thomas X. Dombrowski.

Mr. ARENS. And he was, until he was recently killed in New York City, a notorious Communist; was he not?

Mr. DENDE. He was considered as a Communist, but he never personally told me about it.

Mr. ARENS. How many of the people on this list who have thus far been lined up to go to Poland were submitted to you or to your agency by Dombrowski, the late Communist?

Mr. DENDE. Not by Dombrowski, but by the committee.

Mr. ARENS. By the committee of which he was a moving light in Detroit?

Mr. DENDE. He was a part of it. These names which I listed here, six of them.

Mr. ARENS. There are six names on the list of people who have thus far committed themselves to go to Poland on one of your excursions, who were lined up for you by Dombrowski's organization; is that correct?

Mr. DENDE. That is correct.

Mr. ARENS. Have you taken to the State Department the passport applications of some of these people who are to go to Poland?

Mr. DENDE. I did not take any passport applications to the State Department, because everybody was requested to get their passport for themselves.

Mr. ARENS. Have you had custody of the passports which were issued to these people?

Mr. DENDE. Yes.

Mr. ARENS. Have you had those passports validated at the Polish Embassy?

Mr. DENDE. Not yet. I submitted them for Polish visas; yes.

Mr. ARENS. How many passports have you submitted—

The CHAIRMAN. Just a moment. You say you submitted them for visas. A moment ago you said a visa wasn't necessary.

Mr. DENDE. A visa is necessary from Poland, from Polish authorities, present Polish authorities, for them to enter Poland.

The CHAIRMAN. Why didn't you obtain that permission when you went to Poland just a few months ago?

Mr. DENDE. I did, in Berlin.

The CHAIRMAN. In Berlin?

Mr. DENDE. Yes, sir.

The CHAIRMAN. But not here?

Mr. DENDE. Not in Washington at the Polish Embassy; no.

Mr. ARENS. How many passports have you taken or caused to be directed to the Polish Embassy in Washington for the purpose of procuring entry permits into Poland?

Mr. DENDE. We counted in your office, Mr. Arens. I think it was 20 passports. I don't remember the exact number.

Mr. ARENS. Thus far?

Mr. DENDE. Yes.

Mr. ARENS. How many people in the aggregate have thus far committed themselves to take one of these trips under the auspices of your organization to Poland?

Mr. DENDE. So far as the June 18 excursion is concerned, to the best of my knowledge as of today it is 34.

The CHAIRMAN. How many of those people were born in the United States?

Mr. DENDE. I didn't check on that, sir.

The CHAIRMAN. What arrangements did you make with the Polish Government to insure their leaving Poland after they got there?

Mr. DENDE. First of all, sir, they get a visa both ways, entry and exit visa. Then today my associate informed me that in addition the Polish Embassy here requested that every participant in this excursion sign a pledge that he will leave Poland. Why this was requested I don't know because I was just informed today.

The CHAIRMAN. Perhaps the Embassy was afraid there might be some non-Communists in the group.

Mr. DENDE. I don't know why they requested it. It is a very unusual request in my opinion that they themselves wanted participants—

The CHAIRMAN. I asked the question because Poland doesn't even recognize the citizenship of persons of Polish parents born in the United States.

Mr. DENDE. I understand that.

The CHAIRMAN. There have been many cases where they have been drafted and refused permission to leave Poland.

Mr. DENDE. Maybe that is the reason, sir, that they requested the participants that they pledge themselves to leave Poland.

Mr. ARENS. Mr. Dende, in the course of the last 4 or 5 years, have you received solicitation from an official of the Polish Embassy in the United States for you to perform a service for him?

Mr. DENDE. Yes, sir.

Mr. ARENS. Tell us when that was.

Mr. DENDE. I think it was about 4 years ago.

Mr. ARENS. Was that in May of 1952?

Mr. DENDE. That is right.

Mr. ARENS. First of all tell us the name of this official.

Mr. DENDE. At that time his title was vice consul in New York, Albrycht.

Mr. ARENS. Was he vice consul of the Polish consulate in New York?

Mr. DENDE. In New York.

Mr. ARENS. Where did he visit you?

Mr. DENDE. At my hotel.

Mr. ARENS. What was his request of you?

Mr. DENDE. I will have to refresh my memory.

That time was only—the thing he discussed in general, I don't want to read the whole thing and take the committee's time—to sort of be fair to Poland, to stress nonpolitical items like cultural progress and things like that.

Mr. ARENS. Did you have an extensive conversation with Mr. Wojciech Albrycht?

Mr. DENDE. It was quite a long conversation.

Mr. ARENS. Where were you employed at the time Mr. Albrycht visited you at your hotel in New York City?

Mr. DENDE. I was employed in Polish-American Journal.

Mr. ARENS. Did you learn that Mr. Albrycht was traveling extensively visiting more or less secretly hundreds of Americans of Polish descent in the United States?

Mr. DENDE. That was my impression from the conversation with him that he was traveling extensively, yes; and talking to a lot of people about different things.

Mr. ARENS. Did you have the impression that Mr. Albrycht was doing so secretly—was that the impression you had at that time?

Mr. DENDE. Some would have been secretly for the reasons that maybe many people didn't want to meet him openly under the circumstances, or something like that.

Mr. ARENS. Did you have the impression at the time of your conversation with Mr. Albrycht that he was undertaking to spread in the United States Communist propaganda?

Mr. DENDE. My impression was that his approach was on the cultural level.

Mr. ARENS. Did you have the impression that Mr. Albrycht was attempting to spread and was quite effectively spreading Communist propaganda in the United States?

Mr. DENDE. My impression, as I say, it was open to interpretation, whether cultural contacts or contacts based on cultural subjects can be considered as Communist propaganda, I only knew about the cultural approach.

Mr. ARENS. Did you also have the impression from your conversation with him that he was in a position to gain valuable information?

Mr. DENDE. Yes.

Mr. ARENS. Did you have the impression that he was in the process of gaining valuable information respecting operations in the United States which would be of military interest to the Soviets?

Mr. DENDE. I don't know whether I could get that kind of impression because we didn't discuss subjects of that nature.

Mr. ARENS. Specifically what did he ask you to do?

Mr. DENDE. Not during the first contact he didn't ask anything.

Mr. ARENS. During any contact what did he ask you to do?

Mr. DENDE. He suggested that I supply the Polish-American papers from time to time with nonpolitical pictures from Poland or something of the cultural character.

Mr. ARENS. What was your answer?

Mr. DENDE. My answer was that I would give the matter some thought.

Mr. ARENS. Did he offer to pay you any money for that service?

Mr. DENDE. Yes.

Mr. ARENS. How much did he offer to pay you?

Mr. DENDE. So far as I can recall it was I think \$25 per week. That is supposed to cover expenses.

Mr. ARENS. Did he propose also to give you expenses?

Mr. DENDE. Yes.

Mr. ARENS. Did he make any suggestion to you that you approach newspapers with an offer of supplying nonpolitical pictures from Poland?

Mr. DENDE. He suggested, not openly suggested but implied, but anyway to that effect he made something like that, some suggestion of that sort.

Mr. ARENS. Did he discuss with you any ruse by which you would be paid in the guise of bills for books to the Polish consulate?

Mr. DENDE. Yes.

Mr. ARENS. Tell us about that.

Mr. DENDE. He said if I don't want to bill him directly or something like that, I could charge him for books and charge accordingly.

Mr. ARENS. Did Mr. Albrycht also ask you to recommend to him the names of other persons whom he could contact in various areas in the United States to perform similar services?

Mr. DENDE. Yes.

Mr. ARENS. Have you ever received any money——

Mr. DENDE. No. Excuse me.

Mr. ARENS. Have you ever received any money which has come to you via the consulate, Embassy, or Legation of the Polish Government in the United States?

Mr. DENDE. I never received any money from the Polish Embassy or anything like that.

Mr. ARENS. Have you ever received any money that came to you as a conduit through the Polish Embassy?

Mr. DENDE. What do you mean by that?

Mr. ARENS. Was any money transmitted to you through the Polish Embassy in Washington?

Mr. DENDE. Through the Polish Embassy?

Mr. ARENS. Yes, sir.

Mr. DENDE. Or rather from the Polish Embassy.

Mr. ARENS. Yes, sir.

Mr. DENDE. Not from the Polish Embassy.

Mr. ARENS. What Embassy or agency is it you have in mind from which you may have received money?

Mr. DENDE. Will you kindly make this question more specific?

Mr. ARENS. Have you received approximately \$200 in one incident of money which was transmitted from behind the Iron Curtain to you via an Iron Curtain establishment in the United States?

Mr. DENDE. Yes.

Mr. ARENS. Tell us about that.

Mr. DENDE. I made the statement in executive session.

Mr. ARENS. Tell us now in public session.

Mr. DENDE. Yes. A friend of mine in Poland was able to use that kind of means to transmit some money so I could obtain certain things for him.

Mr. ARENS. First of all, tell us what agency in the United States was the conduit through which you procured this \$200.

Mr. DENDE. It was somebody attached to the Polish Embassy. I don't know his official title.

Mr. ARENS. How did you happen to have any contact with him?

Mr. DENDE. He contacted me.

Mr. ARENS. By what means?

Mr. DENDE. I don't remember exactly, but he arranged a meeting with me I think in New York or something like that.

Mr. ARENS. When was that?

Mr. DENDE. It was so many years ago I don't recall. I tried to find out the subject, but—

Mr. ARENS. How long ago would you say? Would it be within the last 5 years?

Mr. DENDE. It must have been longer, I think.

Mr. ARENS. Where were you when this person contacted you?

Mr. DENDE. What do you mean, where was I?

Mr. ARENS. Were you in New York, Chicago, Detroit?

Mr. DENDE. I think I was in Scranton, Pa.

Mr. ARENS. Were you in your office in Scranton, Pa., the newspaper?

Mr. DENDE. I was working then on the newspaper.

Mr. ARENS. Did this person from the Embassy identify himself as an official or employee of the Embassy?

Mr. DENDE. He identified himself in some sort of capacity which I can't exactly remember. I think I told you in executive session that he was either doing something for the Ministry of Education or something like that.

Mr. ARENS. But he identified himself to you as a person with the Polish Embassy; is that correct?

Mr. DENDE. That he was attached; yes, sir.

Mr. ARENS. Did you have correspondence with him prior to the time that you had this personal session with him?

Mr. DENDE. I don't remember that I corresponded with, whether it was a telephone call. I don't remember.

Mr. ARENS. Did you write his name down?

Mr. DENDE. I think so.

Mr. ARENS. What was his name?

Mr. DENDE. I think he said his name—I don't know that that was his real name or anything like that, but I think he said his name was Zyblski, or something to that effect.

Mr. ARENS. Tell us now what transpired in the conversation between you and this person who identified himself as an official or employee of the Polish Embassy.

Mr. DENDE. I think he just said he was going to have something for me from a mutual friend and he only was talking about his mission that he was studying—I mean that is the best of my recollection, that he was studying educational system in America and that he was traveling, something to that effect.

Mr. ARENS. I am at a loss here as to what you are saying, Mr. Dende. The man now is talking to you and is he telling you about a person who is in Poland or is he telling you about himself?

Mr. DENDE. He was telling me that he may have something for me from a person in Poland.

Mr. ARENS. He was telling you that he may prospectively have something for you from a person in Poland?

Mr. DENDE. That is right.

Mr. ARENS. Did he tell you what that certain thing was?

Mr. DENDE. That is the thing that you referred to, this money for that purpose.

Mr. ARENS. Now tell us first of all what the purpose of the money was.

Mr. DENDE. To buy certain items like medicine, like clothing—I mean coupons for clothing, clothing material, watch, and a variety of other items for that person.

Mr. ARENS. Did he explain to you why he came to you to procure that material rather than just procure it himself and send it on back behind the Iron Curtain?

Mr. DENDE. No, he didn't.

Mr. ARENS. Did you interrogate him on that subject?

Mr. DENDE. No.

Mr. ARENS. Did he tell you the name of this person behind the Iron Curtain who wanted you to buy certain things for him?

Mr. DENDE. Later I knew who it was.

Mr. ARENS. I will have to ask you to exercise your own judgment. If you were to reveal that person's name in public session now do you fear that person might be subjected to physical persecution behind the Iron Curtain?

Mr. DENDE. I cannot reveal the name of the person in public session. However, I did reveal it in executive session.

Mr. ARENS. Do you feel if you did reveal the name of that person he himself might be subjected to physical persecution behind the Iron Curtain?

Mr. DENDE. He might be.

Mr. ARENS. By the Communists?

Mr. DENDE. That is right.

Mr. ARENS. What did you do after this conversation with this man from the Polish Embassy?

Mr. DENDE. I don't remember because I didn't pay much attention at the time of this meeting.

Mr. ARENS. I mean what did you do toward buying anything.

Mr. DENDE. I did send him a lot of items to that person in Poland, yes.

Mr. ARENS. Did the man from the Embassy give you the \$200?

Mr. DENDE. He sent it to me.

Mr. ARENS. After the conversation he sent it to you?

Mr. DENDE. Yes.

Mr. ARENS. He sent it to you from where?

Mr. DENDE. I think it was from Washington. I didn't pay no attention to details at that time.

Mr. ARENS. Did he give you the address of the individual behind the Iron Curtain in Poland who wanted you to buy certain things for him?

Mr. DENDE. Yes.

Mr. ARENS. Did you save that address?

Mr. DENDE. Yes.

Mr. ARENS. You have his name?

Mr. DENDE. Yes.

Mr. ARENS. You procured the items?

Mr. DENDE. Yes.

Mr. ARENS. Did you cause those items to be transmitted behind the Iron Curtain?

Mr. DENDE. Yes; because at that time it was the general practice, sir, that we were helping people in Poland in every way possible, through every way possible. There were various ways used as long as it was possible to reach the recipient, no matter through what channel. This was soon after the great destruction of the country.

Mr. ARENS. Can you tell us about any other agency besides your own agency which is engaged in promoting trips of people in the United States behind the Iron Curtain?

Mr. DENDE. First of all I would like to give you this as an exhibit [handing document to Mr. Arens].

Mr. ARENS. This is entitled "Eleven Tours to the Soviet Union, Union Tours, in Cooperation With KLM." This document will be marked, "Dende Exhibit No. 2." and be incorporated by reference in this record for retention in the committee files.

The CHAIRMAN. So incorporated.

Mr. ARENS. Now tell us about this agency that is promoting tours to the Soviet Union.

Mr. DENDE. So far as I know, I don't know anybody in person in that agency, but that is the agency that is official representative of the Intourist and they are promoting trips behind the Iron Curtain, in general, to all the countries behind the Iron Curtain.

Another agency that to my knowledge was the same thing is Cosmos.

Mr. ARENS. Did you have any contractual arrangements with any other agency besides the agency you talked about in Poland for the promotion of trips behind the Iron Curtain?

Mr. DENDE. No. I was only interested in organizing excursions to Poland so that Americans of Polish descent would have an opportunity to see their relatives.

Mr. ARENS. What is the name of the agency promoting trips behind the Iron Curtain which issues that bulletin General Kearney now has in his hand?

Mr. DENDE. Union Tours. I think it is specified, Union Tours.

Mr. ARENS. Do you happen to know who is head of it?

Mr. DENDE. I don't know who is the head of that.

Mr. ARENS. Do you know any of the officers in it?

Mr. DENDE. No.

Mr. ARENS. Do you know any of the people connected with it?

Mr. DENDE. No.

Mr. ARENS. Do you know where it is located?

Mr. DENDE. I suppose the address is in that book. I didn't have any dealings with them whatsoever.

Mr. ARENS. It is just your information that this agency, Union Tours, is in existence and does have sole contractual arrangements with people in the Soviet Union to promote travel to that country, is that correct?

Mr. DENDE. To my knowledge there are two agencies that have representation of the Intourist.

Mr. ARENS. Do you have any information respecting the process which is used by the people who make these tours to the Soviet Union, via this agency, whose bulletin you have just supplied to the committee?

Mr. DENDE. No, sir.

Mr. ARENS. Do you have another agency?

Mr. DENDE. This is ours. Because you had some of our literature, I want you to have a complete set.

Mr. ARENS. Do you have in mind some other agency which to your knowledge is promoting tours comparable to your tours to some other country behind the Iron Curtain?

Mr. DENDE. I have read an advertisement in one of the Polish-American newspapers recently, I think it was a week ago or something, and I think I showed you the clipping, that somebody in Detroit by the name of Vicek advertises tours to Poland. I don't know on what basis. I don't know with whom he is in contact. I don't know whom he represents.

Mr. ARENS. Mr. Dende, is it your understanding that there are no restrictions now for tours to Soviet Russia and behind the Iron Curtain?

Mr. DENDE. I can only talk about Poland because I didn't deal with any other Iron Curtain country. I understand insofar as excursions are concerned there are almost no restrictions. I understand also that individual travel is permitted as well.

Mr. KEARNEY. This bulletin also mentions tours through Kiev, Leningrad, and Moscow.

Mr. DENDE. I had nothing to do with that, sir.

Mr. KEARNEY. I understand that.

Mr. DENDE. The general tour of the Soviet Union and all the other countries behind the Iron Curtain.

Mr. ARENS. Do you have information respecting a travel agency called Cosmos Travel Bureau, Inc.?

Mr. DENDE. Yes.

Mr. ARENS. Is that another agency engaged in this type of travel?

Mr. DENDE. Exactly.

Mr. ARENS. Tell us in a word about the Cosmos Travel Bureau.

Mr. DENDE. The only information I have about Cosmos is that the owner of that, I think his name is Reiner; he was accompanying some kind of American group, whether it was chess players or something like that, to Moscow last year I think it was,

and then while there he met Mr. Bulganin and Mr. Khrushchev and took pictures with them and was on the spot. When they asked him in what business he is, he said "travel business," and he asked them to be given agency of Intourist and they gave him this agency. On the return way from Moscow he stopped in every so-called satellite capital and he got representation of every country behind the Iron Curtain. He was the first to advertise that you can now visit Poland, Rumania, Czechoslovakia, and so forth.

Mr. ARENS. Then Gabriel Reiner of the Cosmos Travel Bureau is one of your competitors, promoting the business of travel to Poland?

Mr. DENDE. That is correct.

Mr. ARENS. Is there some other agency to your knowledge which is engaged, as your agency is, in promoting travel behind the Iron Curtain of American citizens?

Mr. DENDE. Not to my knowledge, but many Polish-American travel bureaus are very much interested in the subject.

Mr. ARENS. Have you received information from any of the people who thus far have signed up with your travel bureau that they have received solicitations from behind the Iron Curtain to return and to defect to Poland?

Mr. DENDE. On this June 18 tour?

Mr. ARENS. Yes, sir.

Mr. DENDE. No.

Mr. ARENS. How did these people propose to go? By what mode of travel?

Mr. DENDE. By air.

Mr. ARENS. Do you propose to accompany them?

Mr. DENDE. If necessary. I don't know. It depends on the circumstances. On the advice of my counsel, any agency in the United States—

Mr. ARENS. Did any of these folks to your knowledge purchase only one-way tickets?

Mr. DENDE. None; because we wouldn't sell them one-way tickets.

Mr. ARENS. Do you have any information respecting solicitation being promoted by people identified with the consulates or embassies in the United States?

Mr. DENDE. What do you mean?

Mr. ARENS. With particular reference to the Poles in the United States, do you have information respecting solicitation of Poles in the United States by anyone in the consulate or Embassy?

Mr. DENDE. To go to Poland on repatriation business?

Mr. ARENS. That is right.

Mr. DENDE. No; I don't have that kind of information.

Mr. ARENS. Do you have information respecting solicitation by anyone in the Polish Embassy to people of Polish descent in the United States to return to Poland?

Mr. DENDE. I suppose they do that, but I don't have firsthand information. I also suppose, again only on the basis of my secondhand knowledge, that a lot of literature is being distributed in the United States suggesting or advocating return to Poland; yes. That is being done by many agencies.

Mr. ARENS. I understood you had something you wanted to say.

Mr. DENDE. I understand to suggest or rather state that any travel agency in the United States can now promote tours to Poland, behind

the Iron Curtain, because there is no restriction. That is my understanding.

Mr. ARENS. Are there restrictions to Red China?

Mr. DENDE. I don't know anything about Red China.

Mr. ARENS. You are only conversant with the situation in Europe?

Mr. DENDE. I am only conversant with the situation in Poland.

Mr. ARENS. Are you also conversant—we could find this out, of course, from the State Department—are you conversant with the general restrictions placed upon our American citizens who may go or may be permitted to go behind the Iron Curtain?

Mr. DENDE. I don't know; but on the basis of passports there are restrictions to China and I think there are restrictions to Albania and Hungary or, in other words, any country, to any place that the United States does not have diplomatic relations.

Mr. ARENS. How much business does this Excursions to Poland Committee in Detroit have, the committee which was formerly run by Dombrowski, the Communist?

Mr. DENDE. You mean insofar as our excursions?

Mr. ARENS. So far as any excursions are concerned.

Mr. DENDE. They were the first to organize. They organized the first excursion.

Mr. ARENS. Which first excursion?

Mr. DENDE. They organized themselves an excursion to Poland last April, I think.

Mr. ARENS. How many did they send, and when?

Mr. DENDE. I think 48 was the actual count, or 47, something like that.

Mr. ARENS. When did this Dombrowski committee send its 48 or 47 people to Poland?

Mr. DENDE. April.

Mr. ARENS. April of this year?

Mr. DENDE. April of this year.

Mr. ARENS. Do you know of any proposals that the Excursions to Poland Committee in Detroit has for future trips to Poland?

Mr. DENDE. The Excursions to Poland Committee when we announced we were going to have excursions to Poland asked us if we would accept the passengers that they may have to go to Poland, to which we replied, yes, as from any other travel agency or any other source, on a business basis.

Mr. ARENS. What arrangements did you make when you were in Poland a few months ago for reception facilities for the people who were going to Poland?

Mr. DENDE. Reception facilities in what way? Hotels?

Mr. ARENS. Yes.

Mr. DENDE. They were supposed to have rooms in first-class hotels. They were supposed to have 3 to 4 meals a day in first-class restaurants. They were supposed to travel in second-class railroad coaches all during the night and second-class sleeping cars, and on some short runs on special buses.

Mr. ARENS. What restrictions as to places of travel are imposed or will be imposed upon the people who go on your excursions?

Mr. DENDE. To my knowledge or at least as it was told to me there would be no restrictions whatsoever.

Mr. ARENS. Would they be permitted so far as you know to visit the slave labor camps in Poland?

Mr. DENDE. That I don't know.

Mr. ARENS. Did you have any discussion with the Polish Communist officials respecting whether or not people who go on your excursions could travel to any place they wanted to go?

Mr. DENDE. That is what they told me, that they can go, because I stressed the point that in order to be of some benefit to the excursions, their primary interest is to see their relatives and friends and to have freedom to travel.

Mr. ARENS. Did they work out any arrangements with you to transport or cause to be transported people to Poland who would want to reestablish themselves there permanently?

Mr. DENDE. No.

Mr. ARENS. Do you have information respecting the volume of people who are returning to Poland to be reestablished permanently?

Mr. DENDE. You mean from the United States?

Mr. ARENS. Yes, sir; principally from the United States.

Mr. DENDE. To my best knowledge on the basis of information from different sources, I think that there was not more so far than 15 or 20 people that did return from America to Poland for good.

(Off the record discussion.)

The CHAIRMAN. The witness is excused from further attendance under the subpoena.

The committee is adjourned to meet at 10 tomorrow morning.

(Whereupon, at 3:40 p. m., Wednesday, June 13, the committee was recessed, to reconvene at 10 a. m. Thursday, June 14, 1956.)

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by 7 Pages

INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 4

HEARINGS BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES EIGHTY-FOURTH CONGRESS SECOND SESSION

JUNE 14 AND 21, 1956

Printed for the use of the Committee on Un-American Activities

(INCLUDING INDEX)



UNITED STATES
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WASHINGTON : 1956

COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *
17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *
(g) (1) Committee on Un-American Activities.
(A) Un-American Activities.
(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress :

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

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INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 4

THURSDAY, JUNE 14, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee of Un-American Activities met at 10 a. m., pursuant to recess, in the caucus room of the House Office Building, Hon. Francis E. Walter (chairman of the committee) presiding.

Committee members present: Representatives Francis E. Walter of Pennsylvania (chairman); Edwin E. Willis, of Louisiana; Harold H. Velde, of Illinois; Bernard W. Kearney, of New York, and Gordon H. Scherer, of Ohio.

Staff members present: Richard Arens, director, and Donald T. Appell, investigator.

The CHAIRMAN. The committee will be in order.

Mr. ARENS. Mr. Leon Straus, kindly come forward.

(No response.)

Mr. Leon Straus?

(No response.)

The CHAIRMAN. Has he been here?

Mr. ARENS. Mr. Owens said he was here.

(Brief recess.)

(Committee members present: Representatives Walter, Willis, and Kearney.)

Mr. ARENS. Mr. Chairman, several minutes having elapsed and Mr. Straus not having appeared, I respectfully suggest that we call another witness. There may be some misunderstanding. His counsel assured me about a week ago he would be here today.

We have another witness, however.

The CHAIRMAN. All right.

Mr. ARENS. Mr. Abraham Joshua Bick, please.

Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BICK. I do.

**TESTIMONY OF ABRAHAM JOSHUA BICK, ACCOMPANIED BY
COUNSEL, ISADORE G. NEEDLEMAN**

Mr. ARENS. Please identify yourself for the record by name, residence, and occupation.

Mr. BICK. My name is Abraham Joshua Bick, B-i-c-k, residing at 274 West 19th, New York City; occupation, rabbi.

Mr. ARENS. Are you appearing here today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BICK. Yes.

Mr. ARENS. Are you represented by counsel?

Mr. BICK. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself, please, sir.

Mr. NEEDLEMAN. Isadore G. Needleman, 165 Broadway, New York, N. Y.

Mr. ARENS. The subpoena under which you are appearing today requests you to produce before the committee all United States passports in your possession. Do you have the United States passports in your possession and in your control and custody?

Mr. BICK. No; I don't.

Mr. ARENS. Have you had any passports?

Mr. BICK. I did.

Mr. ARENS. Tell us about them and where they are, please, sir.

Mr. BICK. I think one of the passports is in the State Department custody.

Mr. ARENS. Have you received only one passport?

Mr. BICK. May I consult my counsel?

Mr. ARENS. Surely, at any time you wish.

(The witness conferred with his counsel.)

Mr. BICK. I had one I think, if I remember correctly, in 1932. I haven't got it any more. It was destroyed.

Mr. ARENS. Is that the only passport you have ever had? Have you ever had another passport?

Mr. BICK. I had two passports.

Mr. ARENS. What about the other passport? You said you had one in 1932 which has been destroyed. Where is the other one?

Mr. BICK. I mentioned before, the State Department.

Mr. ARENS. To your best recollection, when was that issued?

Mr. BICK. It was issued in 19—

Mr. ARENS. Was it issued in 1947? Do you recall whether or not it was issued in 1947, Mr. Bick?

(The witness conferred with his counsel.)

Mr. BICK. I don't recall.

Mr. ARENS. I lay before you a photostatic copy of a passport application issued December 26, 1947, which we have marked for identification as "Bick Exhibit No. 1" bearing the signature of Abraham J. Bick, and a photograph. I ask you whether or not that is a true and correct reproduction of the application which you made for a United States passport.

(Witness and counsel examining document.)

Mr. BICK. Yes, it is.

Mr. ARENS. I suggest "Bick Exhibit No. 1" be incorporated by reference into the record.

The CHAIRMAN. So ordered.

Mr. ARENS. Did you receive a passport pursuant to this application?

Mr. BICK. May I look at that again if you don't mind?

(Witness examining document.)

Mr. ARENS. Perhaps you don't understand. It is a very simple question. Did you receive a passport pursuant to this application which I have just talked to you about and shown to you?

Mr. BICK. I probably did, but I haven't got it.

Mr. ARENS. Yes; but I mean, did you receive one.

Mr. BICK. I probably did.

Mr. ARENS. Where did you intend to go on this journey when you told the State Department you wanted a passport?

(The witness conferred with his counsel.)

Mr. BICK. I respectfully decline to answer on the grounds of the fifth amendment not to lead to possible self-incrimination.

Mr. ARENS. Let me direct your attention to this passport application, Mr. Bick. The purpose of the trip: "Visit relatives and study religious life in Poland and Palestine."

You wrote that down, or caused it to be written, didn't you?

Mr. BICK. I respectfully decline to answer that.

Mr. ARENS. You have just identified this document a while ago as the application that you made.

Mr. NEEDLEMAN. That doesn't mean he wrote it down. You asked him if he wrote it down.

Mr. ARENS. And I asked him or if he caused it to be written.

Did you cause that language to be placed there as the purpose of the trip?

(The witness conferred with his counsel.)

Mr. BICK. The document speaks for itself, and I decline to answer.

Mr. ARENS. Do you mean to tell this committee that if you answered truthfully whether or not you gave the purpose of the trip as recited in "Bick Exhibit No. 1," you would be supplying information which could be used against you in a criminal proceeding?

Mr. BICK. I still invoke the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that last question.

The CHAIRMAN. You are directed to answer the question.

Mr. BICK. I still invoke the fifth amendment of the Constitution.

Mr. ARENS. Where did you intend to go when you made the application for a passport in 1947?

Mr. BICK. The same answer, sir.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. BICK. I respectfully decline to answer.

Mr. ARENS. Did you intend to visit relatives and to study religious life in Poland and in Palestine? Was that the purpose of your trip?

Mr. BICK. On the grounds of the fifth amendment I am not going to discuss anything about these documents. They speak for themselves.

The CHAIRMAN. By that do you mean if you were to answer honestly you would be committing perjury? Is that it? Is that what you mean?

Mr. BICK. May I consult counsel?

(The witness conferred with his counsel.)

Mr. BICK. I believe it would possibly lead to self-incrimination.

Mr. ARENS. Where did you go after you received your passport in 1947?

Mr. NEEDLEMAN. If I may say so, Mr. Chairman, that question presupposes that he received a passport.

The CHAIRMAN. He has already said that he did.

Mr. NEEDLEMAN. He said he supposed it was. He wasn't sure.

The CHAIRMAN. Then to the best of your recollection.

Mr. ARENS. Mr. Bick, I lay before you an original passport which I say for the record was loaned to the committee by the State Department for the purpose of this hearing. We expect to return it to the State Department after the hearing. It is marked for identification purposes only, as "Bick Exhibit No. 2."

The CHAIRMAN. Did you seize it from the State Department?

Mr. ARENS. No, Mr. Chairman. Pursuant to the request of this committee, in order to examine the witness on this very vital matter, the State Department, which has custody of this document, permitted us to use it for this hearing.

I lay this document before you and ask you if that is the passport that you received in 1947.

(The witness conferred with his counsel.)

Mr. BICK. This is the one which was picked up from the State Department.

Mr. ARENS. Tell me whether or not that is the one that you received in 1947.

(Mr. Scherer entered the hearing room.)

Mr. BICK. No; it wasn't.

Mr. ARENS. Did you receive another passport, then, in 1947?

Mr. BICK. I answered that already.

Mr. ARENS. Answer it again, please, so this record is clear.

(The witness conferred with his counsel.)

Mr. BICK. This one was issued by the State Department. This I remember.

Mr. ARENS. You remember that one. All right, where did you go after you received your passport in 1947?

Mr. BICK. This is not 1947.

Mr. ARENS. In 1947 did you leave the United States of America?

Mr. BICK. I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he left the United States of America in 1947.

The CHAIRMAN. You are directed to answer that question.

Mr. BICK. I will plead the fifth amendment and not answer questions pertaining to the 1947 passport.

Mr. ARENS. Now, Mr. Bick, I lay before you a photostatic copy of a document entitled "Passport Renewal Application," and ask you if

that is a true and correct reproduction of an application which you made for renewal of your passport in 1950.

(The witness conferred with his counsel.)

Mr. BICK. I understand this is an application for renewal of the same passport you showed me.

Mr. ARENS. That is correct.

Mr. BICK. This is my application.

Mr. ARENS. You will observe here on this passport application the following: "Since my present passport was issued I have been outside of the United States at the following places for the periods stated: 'Israel, France'"—what is that next word? I can't quite recognize the spelling there. Is that Italy, Mr. Bick? Is that next place Italy?

Mr. BICK. I think so.

Mr. ARENS. Is that in your handwriting?

Mr. BICK. No.

Mr. ARENS. The next place is Poland. Did you tell the State Department when you made application for renewal of your passport in November of 1950 that you had been in Israel, France, Italy, and Poland?

Mr. BICK. I decline to answer on the grounds of the fifth amendment.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. BICK. I still invoke the fifth amendment.

Mr. ARENS. I suggest that the passport renewal application dated November 1950, be marked "Bick Exhibit No. 3" for incorporation by reference in the record.

The CHAIRMAN. So ordered.

Mr. ARENS. Did you receive a renewal of your passport in 1950 pursuant to the application which you have just identified?

(The witness conferred with his counsel.)

Mr. BICK. The passport shows I did.

Mr. ARENS. Did you?

Mr. BICK. You have it here.

Mr. ARENS. And you received the renewal. Where did you go pursuant to the renewal of your passport which you received in 1950?

Mr. NEEDLEMAN. Mr. Chairman, Mr. Arens keeps saying he received a renewal and the witness says he received this passport. I don't think there should be any confusion. He identifies this passport. He is not saying whether it was a renewal. I don't want the witness to be confused by that. He has declined to identify any other document.

Mr. ARENS. I didn't mean to confuse the witness. He just said he received a renewal of the passport.

Mr. NEEDLEMAN. He said twice, "I received that passport." You kept saying, "Now when you received the renewal."

Mr. ARENS. Let's get the record straight now.

You filed this application for renewal of your passport in 1950; is that correct?

Mr. SCHERER. He just said that he did file that application for renewal. He did not take the fifth amendment to that question.

Mr. ARENS. That is correct.

Mr. SCHERER. So that is in the record.

Mr. ARENS. That is in the record.

Now, pursuant to this application which you have just identified, what did you receive in the line of credentials from the State Department? Did you receive a new passport or did you receive a stamp on the old passport renewing it?

Mr. BICK. I don't recollect unless I look at the passport.

Mr. ARENS. Do you want to see this passport that we have here?

Mr. BICK. That is the only one which I remember.

(Document placed before the witness.)

Mr. ARENS. May I invite your attention, Mr. Bick, to the fact that the document which you have now was issued in 1952, so you could not have received that in 1950.

Mr. SCHERER. What is the date of the application?

Mr. ARENS. The application is November of 1950.

Irrespective of the document, did you receive authority from the Department of State either by a renewal or by the issuance of a new passport pursuant to your application in November of 1950? That is clear, is it not?

Mr. BICK. I don't remember. If I had the other one I could identify it.

Mr. ARENS. Let's get on to the next question. After you filed this passport application which you have already identified, did you then leave the United States?

Mr. BICK. I respectfully decline to answer that question under the fifth amendment.

Mr. SCHERER. Mr. Chairman, I think you should direct the witness, because if he did have the right to invoke the fifth amendment he has waived it by identifying the application for the passport.

The CHAIRMAN. Yes; I think so. You are directed to answer that question.

Mr. NEEDLEMAN. May I make this point: That the witness has identified the passport, and the question is did he pursuant to that passport leave the country? That is a separate question. He can have a passport and yet not waive the privilege.

Mr. ARENS. Counsel's sole function under the rules of the committee is to advise his client as to his constitutional rights.

Mr. NEEDLEMAN. I would like to advise him intelligently.

Mr. ARENS. Mr. Bick, I lay before you a photostatic copy of an article appearing in Jewish Life, a progressive monthly for January 1951 entitled "Second World Peace Conference." This article is under the byline of Rabbi Abraham Bick. The dateline is Prague, November 13. I will read 1 or 2 paragraphs, then lay the article before you and ask if you will identify it for us.

PRAGUE, November 13.—I write these lines about an hour after getting off the plane from Paris. I am on my way to the Second World Congress for Peace, which was to have taken place in Sheffield, England, and which, on the proposal of the Polish Delegation, has been transferred to Warsaw.

Look at that document that I have just laid before you and tell this committee whether or not you wrote that article.

Mr. BICK. I plead the fifth amendment and will not answer anything which can lead to self-incrimination, testifying against myself.

Mr. KEARNEY. That is without even looking at the document?

Mr. BICK. I have seen it.

Mr. ARENS. When did you see it, Mr. Bick?

Mr. BICK. Just now when you gave it to me.

Mr. ARENS. Have you ever seen it before?

Mr. BICK. I respectfully decline to answer on the grounds of the fifth amendment.

Mr. ARENS. Are you the Abraham Bick who wrote this article?

Mr. BICK. The same answer, sir.

Mr. ARENS. Were you in Prague on November 13, 1950?

Mr. BICK. The same answer under the fifth amendment.

Mr. ARENS. I put it to you as a fact, that you were the person who wrote this article and that you were the person who was in Prague on November 13, 1950, to attend the Second World Congress for Peace.

Mr. BICK. I stick to my right not to self-incriminate myself and I invoke the fifth amendment, sir.

Mr. ARENS. Mr. Bick, do you honestly truly fear that if you told this committee whether or not you were at Prague on November 13, 1950, you would be supplying information which might be used against you in a criminal proceeding?

I say that the reason for the question, Mr. Chairman, is to assure this committee that this witness is not facetiously or capriciously or arbitrarily invoking a very important provision of the Constitution of the United States.

Mr. BICK. I know what the fifth amendment is and I invoke it in good faith and honesty.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be directed to answer the question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ARENS. There is a direction of the Chair outstanding.

The CHAIRMAN. You are directed to answer that question.

Mr. BICK. On the grounds of the fifth amendment I decline to answer.

Mr. SCHERER. He can't answer that question by invoking the fifth amendment. He has to say "Yes" or "No."

Mr. BICK. I am not clear on the question.

Mr. ARENS. We want you to be clear: Do you honestly fear if you told this committee whether you were in Prague, Czechoslovakia, on November 13, 1950, you would be supplying information which could or might be used against you in some manner in a criminal proceeding?

I suggest Mr. Chairman, that the photostatic copy of the article, "Second World Peace Conference," authored by a Rabbi Abraham Bick and appearing in the January 1951 issue of the Jewish Life be marked "Bick Exhibit No. 4" and incorporated by reference into the record.

The CHAIRMAN. So ordered.

Mr. BICK. Yes.

Mr. ARENS. Mr. Bick, I lay before you a document which is in Yiddish and I do not translate Yiddish, but we have had this translated. It is from the Morning Freiheit, of December 28, 1950, and contains an article by an Abraham Bick. I ask you first of all do you read Yiddish?

Mr. BICK. I do.

Mr. ARENS. Do you write Yiddish?

Mr. BICK. I do.

Mr. ARENS. Would you kindly look at that article, which is in Yiddish, and tell this committee whether or not you wrote that article?

Mr. BICK. I respectfully decline to answer invoking the fifth amendment.

Mr. ARENS. That article in effect says that in Poland, Rumania, Czechoslovakia, Hungary, Bulgaria, which you have visited, the Jews there are treated with great respect, that there is a new social and cultural formation there, that there actually is no anti-Semitism at all behind the Iron Curtain in those countries. Is that the essence of that article which is now before you in Yiddish?

Mr. NEEDLEMAN. Do you want him to read it, Mr. Arens?

Mr. ARENS. If he could glance at it and give the committee the benefit of his interpretation of the article.

(Witness conferring with his counsel.)

Mr. SCHERER. What was the date of that article, Counsel?

Mr. ARENS. The article is December 28, 1950, and I hold in my hand a translation which we have had translated for the committee.

(Witness examining document.)

Mr. BICK. Would you repeat that phrase?

Mr. ARENS. Tell us in your own phraseology, the essence of that article.

Mr. BICK. I can state it in Yiddish.

Mr. ARENS. You can translate it for us, too, can you not?

Mr. BICK. It is too big.

Mr. ARENS. Did you write that article?

Mr. BICK. I have already answered that. I declined to answer under the fifth amendment.

Mr. ARENS. Does that article say in Yiddish, as I am now reciting in English:

And what about Polish Jewry? For almost 2 years now the American Yiddish press, with the exception of the Morning Freiheit, has taken pains to obliterate every trace of Jewish life in Poland.

Mr. BICK. You mean that is a correct translation?

Mr. ARENS. Yes; is that a correct translation?

Mr. BICK. Yes; it is.

Mr. ARENS. Did you write it?

Mr. BICK. I refuse to answer on the grounds of the fifth amendment.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that the language which I just read in English was penned by yourself in Yiddish and appeared in the Morning Freiheit under date of December 28, 1950, in which you were attacking the American Yiddish Press?

Mr. BICK. With all due respect, sir, I invoke the fifth amendment.

Mr. ARENS. Have you ever been a paid employee of the Morning Freiheit?

Mr. BICK. I refuse to answer that on the grounds of the fifth amendment.

Mr. ARENS. I suggest that the article referred to, appearing in the Morning Freiheit under date of December 28, 1950, be marked, "Bick Exhibit No. 5," for incorporation by reference in the record.

I also respectfully suggest that the citations of the Morning Freiheit of its Communist control and activities be identified as "Bick Exhibit No. 6," and incorporated in the record.

The CHAIRMAN. They may be so admitted.

BICK EXHIBIT No. 6
MORNING FREIHEIT

1. A "Communist Yiddish daily."
(*Attorney General Francis Biddle, Congressional Record, September 24, 1942, p. 7686.*)
2. "The Freiheit has been one of the rankest organs of Communist propaganda in this country for almost a quarter of a century."
(*Special Committee on Un-American Activities, Report, March 29, 1944, p. 75.*)

Mr. ARENS. Now I lay before you, Mr. Bick, a photostatic copy of an article appearing in the Daily Worker, of New York, of Friday, February 2, 1951, entitled "Rabbi Bick To Talk Against Rearming Nazis." There is a photograph there and under that photograph is a designation, Rabbi Bick. I ask you to take a glance at that and see if that refreshes your recollection of any incident that may have occurred about that time in your life.

(The witness examined the document.)

Mr. BICK. I shall stand on my constitutional rights and refuse to identify any document which might incriminate myself.

Mr. ARENS. I wonder if you could help the committee with this: Did you ever hear of a Rabbi Bick who returned from Poland in 1950 other than yourself?

Mr. BICK. I have already answered.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document referred to be marked "Bick Exhibit No. 7" and incorporated by reference in the record.

The CHAIRMAN. So incorporated.

Mr. ARENS. Mr. Bick, I lay before you a photostatic copy of a document entitled "A Call for Peace and Freedom, American People's Congress and Exposition for Peace," which lists a number of sponsors, including a "Rabbi Abraham J. Bick, New York, N. Y." I ask you whether or not you are the Rabbi Abraham Bick of New York, N.Y., identified in that document as a sponsor.

(The witness conferred with his counsel.)

Mr. BICK. Under the protection of the fifth amendment, I will not identify any document.

Mr. ARENS. Mr. Chairman, I would like to ask, in order to save time, that all further exhibits be incorporated by reference in this record.

The CHAIRMAN. Yes.

Before we proceed, I would like to ask a question about your passports.

Mr. BICK. Which one?

The CHAIRMAN. The one you looked at. When you submitted your application, you obtained permission to travel in various countries, did you not? There were visas stamped in the passport. Did you obtain any of those visas or were they obtained by the Department of State?

(The witness conferred with his counsel.)

The CHAIRMAN. In other words, you sent your application for a passport for permission to travel in the stated countries. When the passport was returned to you, it contained permission to travel in those countries, did it not?

Mr. BICK. I don't recall.

The CHAIRMAN. Did you call at the embassies of any of the countries that you intended to visit?

Mr. BICK. I don't recall that, sir.

The CHAIRMAN. You sent an application to the State Department for a passport; isn't that true?

Mr. BICK. Yes, sir.

The CHAIRMAN. Is that the only step you took to obtain this passport in which there are visas from other countries?

Mr. BICK. The application was sent to obtain a passport. The application would establish it.

The CHAIRMAN. That is all; that is the only thing you did. Some time later this passport was mailed to you in which there are visas from the countries that you intended to visit?

Mr. BICK. I don't understand this question.

The CHAIRMAN. Did you go to the embassies of any of the countries you intended to visit to obtain permission to enter those countries?

(The witness conferred with his counsel.)

Mr. BICK. To my best recollection I didn't go to any embassies.

The CHAIRMAN. Did you come to Washington after you submitted your application?

Mr. BICK. To my best recollection I didn't.

The CHAIRMAN. You did not. You would remember if you did, wouldn't you? It was just 2 or 3 years ago. You would remember that you did not come to Washington, and that is the procedure. That is why we are subpoenaing these passports. Because many of them have been forged. Yesterday we had a case in which there was asserted permission to travel in a prohibited area, and the permission erased, or at least the attempt made to erase it. That is why we want to see these passports, because we believe the law ought to be amended so that if there is any alteration to the passport it immediately becomes void. That is what we are trying to study.

Mr. NEEDLEMAN. So the record will be clear, there is no intimation that there is any forgery on this one, is there?

The CHAIRMAN. No, no.

Mr. ARENS. Mr. Bick, I lay before you the document that the chairman was alluding to a moment ago, a photostatic copy of the passport application which you filed in 1952 for still another passport, and ask you if you will kindly identify it.

Mr. WILLIS. This was not for renewal. It was for a new passport?

Mr. ARENS. Yes; this was for a new passport, Mr. Willis.

(The witness conferred with his counsel.)

Mr. BICK. I understand this is an application for a new passport, sir?

Mr. ARENS. That is correct.

Mr. BICK. Yes; it is.

Mr. ARENS. In this application for passport you state you are going to visit relatives. That is, in 1952 the application states that you were going to go visit some relatives.

Mr. BICK. That is true.

Mr. ARENS. Is that what you intended to do?

Mr. BICK. Yes.

Mr. ARENS. Was that all you intended to do if you could have gotten a passport again in 1952?

(The witness conferred with his counsel.)

Mr. BICK. I have a father in Israel I wanted to visit.

Mr. ARENS. Is that the only place you wanted to go, just to visit your father, or did you have something else in mind that you might do on that trip?

Mr. BICK. I decline to discuss this under the fifth amendment.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question.

You showed him the application for passport, and he admitted he signed it. He admitted he stated at the time he made the application that he wanted to visit relatives. Then you asked him another question, if he had any other place that he wanted to go, any other purpose, and then he invokes the fifth amendment. He certainly doesn't have the right to invoke the fifth amendment. He certainly has opened the door in that case. We have a right to examine him on his statement. I ask you to direct the witness to answer the question as to what other purpose he had in mind, where else he intended to go.

The CHAIRMAN. You are directed to answer that question.

Mr. BICK. As I stated, I had a mind to visit my father. That is true. The other I decline to answer.

Mr. ARENS. You also state on it that you wanted to visit Brazil.

Mr. BICK. As far as other intentions, I decline to answer on the ground of the fifth amendment.

Mr. ARENS. Wait just a minute, please, sir. You said you wanted to visit Brazil. That is on the application as a country that you wanted to visit, isn't it?

Is Brazil on there as one of the countries you wanted to visit?

Did you write on the application that you wanted to go to Brazil?

Mr. BICK. I did; yes. That is my handwriting.

Mr. ARENS. Did you go to Brazil?

Mr. NEEDLEMAN. The passport.

Mr. BICK. May I see the passport?

Mr. ARENS. Did you attend a peace conference in Brazil?

Mr. BICK. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. Where did you go besides Brazil on this trip?

(The witness conferred with his counsel.)

Mr. BICK. I plead the fifth amendment to the question.

Mr. ARENS. I want to show you in this passport a stamp indicating your arrival in Vienna, Austria. On page 14 of your passport we see a stamp. It was visaed to give you admission into Austria. Would you please look at it, Mr. Bick, and tell us, did you solicit that stamp to be placed in your passport?

Mr. BICK. I invoke the fifth amendment on this question.

Mr. SCHERER. I ask that you direct the witness to answer the question because I think by the questions he has already answered he has certainly waived any right to invoke the fifth amendment as to this question.

The CHAIRMAN. You are directed to answer the question. What was the date of that?

Mr. ARENS. The stamp is December of 1952, Austria.

Mr. WILLIS. What is the Brazil stamp?

Mr. ARENS. It is about the same date, Congressman. We will find it in just a second.

Mr. WILLIS. All right.

Mr. ARENS. I am a little uncertain as to the state of the record. Is there a question pending?

Mr. SCHERER. There is a direction to answer the question.

Mr. ARENS. Will you please answer the question?

Mr. WILLIS. The specific question was whether he was instrumental in having that stamp placed in there allowing him to go to Austria.

Mr. ARENS. Would you just answer that question for the committee?

Mr. BICK. I stand on my constitutional rights and refuse to answer.

Mr. ARENS. You didn't say anything on this passport application in 1952 about going to Austria; did you?

Mr. WILLIS. I think the next question logically is, Did he go to Austria?

Mr. ARENS. I thought I asked him that, Congressman.

Did you go to Austria?

Mr. BICK. I respectfully decline to answer, invoking the fifth amendment.

Mr. ARENS. Did you state in this passport application anything about going to Austria?

(The witness conferred with his counsel.)

Mr. ARENS. That is a very simple question. Did you?

Mr. BICK. I invoke my rights against self-incrimination.

The CHAIRMAN. May I ask a question at this point? Where did you obtain this visa to go to Austria?

Mr. BICK. I am sorry. I respectfully decline to answer.

The CHAIRMAN. Then I was hasty when I said there was no intimation that there were any alterations in this passport, because this permission to enter Austria was not obtained in the United States, in December 1952. It was obtained somewhere and probably through the Communist apparatus in Paris.

Mr. NEEDLEMAN. Mr. Chairman, as I understand it, just in fairness to the witness, when a person travels on a passport if he should change his mind and decide to go to another country that hasn't been listed, he has a right to do so and he has a right to have a stamp put in it and that doesn't mean there is a forgery or alteration.

The CHAIRMAN. All right; where did he get this stamp?

Mr. SCHERER. Why should he invoke the fifth amendment and indicate that the answer to that question might incriminate him? The inference the chairman drew is proper.

Mr. NEEDLEMAN. It might be a link in a chain of associations that might prompt him to answer in that manner on the advice of counsel.

The CHAIRMAN. Where did you get this permission to enter Austria?

(The witness conferred with his counsel.)

Mr. NEEDLEMAN. He looks at me. I don't know if he wants advice or not.

Mr. BICK. I stated that anything that might lead to self-incrimination I invoke the fifth amendment.

The CHAIRMAN. The fact of the matter is that you obtained this permission in Paris to enter Austria, did you not?

Mr. BICK. My answer is the same, invoking the fifth amendment.

Mr. ARENS. I lay before you a copy of the Communist Daily Worker of December 10, 1952, in which there is an article entitled: "Austrians Form Committee of 312 To Welcome Peace Delegates."

It states "The Vienna Congress is due to convene on December 12." It tells about a number of people who are going to be welcomed there by the Austrian committee. Among these people who are going to be welcomed by the Austrian committee at Vienna is a Rabbi Abraham Bick. I lay that document before you and ask if that refreshes your recollection as to whether or not you were one of those welcomed at Vienna, Austria, on the date indicated in the article.

(The witness examined a document.)

Mr. BICK. I shall not discuss, under the protection of the fifth amendment, any documents of this kind.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that on the date mentioned in the article you were in Vienna, Austria, on credentials which were issued to you originally by the United States Government.

Mr. BICK. I invoke the fifth amendment as to this.

Mr. ARENS. If you will kindly help us again, Mr. Bick, on your translations. I lay before you in Yiddish a document which we have had translated into the English from the Morning Freiheit. Follow me with that, would you please, and see if I am misquoting anything. I want to read just the first paragraph. That is all that I will burden you with at the moment.

Mr. NEEDLEMAN. Which part are you going to read from?

Mr. ARENS. He sees and understands it. The Morning Freiheit of Saturday, December 27, 1952. A letter from Prague by Abraham Bick:

I am writing this letter at the Prague airport, where I and other delegates to the People's Congress for Peace in Vienna, which ended Friday evening are waiting for a plane to take us to Berlin.

Did I give a true and correct translation of what appears in this original Morning Freiheit that you have before you?

Mr. BICK. More or less, substantially. You translated O. K.

Mr. ARENS. I translated that right. Will you tell us if you are the one who wrote that article.

Mr. BICK. I invoke the fifth amendment on that article.

Mr. ARENS. I would like you to skip a paragraph here, and let me read again one more paragraph and see if you follow me correctly. This article tells about what happened at this peace conference and continues in this vein, and I will quote now:

They scornfully rejected the absurd libels of the foreign bourgeois and war-mongering press concerning a so-called wave of anti-Semitism in Czechoslovakia and [the report] that the Slansky trials are in any way connected with anti-Semitism.

Is that a substantially accurate translation of what appears in this document that you are now reading?

Mr. BICK. I wouldn't argue on the translation, if it is correct or not.

Mr. ARENS. Is that substantially correct?

Mr. BICK. Substantially.

Mr. ARENS. That is substantially correct. Did you write that?

Mr. BICK. With your permission I will have to help myself to dry my throat in invoking the fifth amendment and standing on my constitutional rights, with all due respect to you.

Mr. ARENS. This statement which I have just read is a very serious indictment of the patriotic papers of the Hebrew language in the United States; is it not?

Mr. BICK. I don't get clear your question.

Mr. ARENS. This language which I have just read to you from the Morning Freiheit is a very serious indictment of those who were protesting in the United States against the wave of anti-Semitism behind the Iron Curtain? Isn't that correct?

Mr. BICK. It may be.

Mr. ARENS. Isn't that correct?

Mr. BICK. It may be interpreted that way.

Mr. ARENS. Isn't that a fair and honest interpretation?

Mr. BICK. You mean your interpretation?

Mr. ARENS. The interpretation that I just gave of this language, that it is a serious indictment against people in the United States who were protesting against the wave of anti-Semitism then in existence behind the Iron Curtain. Isn't that correct?

Mr. BICK. Yes.

The CHAIRMAN. That is what you intended; is it not?

Mr. NEEDLEMAN. I didn't get the question.

The CHAIRMAN. I say, that is what you intended?

Mr. BICK. That is how I interpret this article when I read it, but I didn't say anything pertaining to who wrote the article.

Mr. ARENS. We understand you decline to identify yourself as the author of the article, but I put it to you as a fact, and ask you to affirm or deny the fact, that you were the author of that article and that you were the person who was undertaking to defend the wave of anti-Semitism then in vogue behind the Iron Curtain.

Mr. BICK. On this matter I invoked the fifth amendment before and I do it now.

Mr. ARENS. You have presented yourself here as a rabbi. Are you ordained?

Mr. BICK. Yes, sir.

Mr. ARENS. Are you admitted to the New York rabbinical body?

Mr. BICK. I was ordained. There are many rabbinical bodies. There is no one rabbinical body.

Mr. ARENS. Do you have a synagogue?

Mr. BICK. No; not yet, not now.

Mr. KEARNEY. Did you have one?

Mr. BICK. I did.

Mr. KEARNEY. How long ago?

Mr. BICK. Oh, until 1949 when I resigned.

Mr. ARENS. Did you resign under a little persuasion?

Mr. BICK. No; not at all. I wanted to write books.

Mr. ARENS. I lay before you still another passport application. This is a photostatic copy of a document which I understand is your present passport application currently pending in the Department of State for another trip. I ask you to look at that photostatic copy and tell this committee whether or not it is a true and correct reproduction of the application for a passport which you currently have pending in the State Department.

Mr. BICK. I invoke the fifth amendment on this document and decline to discuss it.

Mr. KEARNEY. What date is that?

Mr. BICK. I will not incriminate myself.

Mr. ARENS. It was sworn to in October 1955.

The CHAIRMAN. Whose photograph is that? Is that your photograph on the application?

Mr. ARENS. Is that your photograph on this document I have just laid before you?

Mr. BICK. I plead the fifth amendment not to discuss this document before.

Mr. ARENS. Tell this committee why it is that you will identify all these other applications you made for passports and for renewals and other documents of that character, but you won't identify the document which is currently pending? Can you tell us why that is?

Mr. BICK. Against possible self-incrimination I invoke the fifth amendment.

Mr. KEARNEY. The true answer, is that after you made that application the State Department refused to issue you a passport, is it not?

Mr. BICK. I decline to answer that.

Mr. ARENS. On this document the applicant, whose signature appears Abraham Bick, and to my eye appears to be the same signature as the signature you identified on the other document, states he wants to visit his parents. Do you propose to visit your parents again soon?

(The witness conferred with counsel.)

Mr. BICK. I have stated before that I have an old father in Israel and I would like to visit him. He wants me to visit him.

Mr. ARENS. Did you propose on this trip to do anything beside visit your aged parents?

(The witness conferred with his counsel.)

Mr. BICK. I said I would like to visit my parents.

Mr. ARENS. Yes; but tell us what else you intended to do on this journey.

Mr. BICK. Excuse me, sir. Are you issuing the passport?

Mr. ARENS. No; I don't issue passports. Just answer the question, please sir.

Mr. BICK. I am sorry.

Mr. ARENS. In connection with this passport application did you receive a letter from the State Department asking you whether or not you are a Communist?

Mr. BICK. I respectfully decline to discuss this on the grounds of the fifth amendment.

Mr. ARENS. I would like to read a letter to you. Then tell us if this is the letter you wrote to the State Department dated January 17, 1956:

DEAR MISS KNIGHT: In reply to your last letter, I should like to repeat my reason for requesting a passport,

Then in the last paragraph you say this:

As to your question of associations, I affirm that I am not now nor have I ever been a member of the Communist Party, nor have I supported their doctrines as such.

Look at a photostatic copy of that letter I just read, and tell this committee whether or not you sent this letter to the State Department in January of this year.

Mr. NEEDLEMAN. The witness asked whether he is permitted to smoke, Mr. Chairman.

The CHAIRMAN. Yes.

Mr. BICK. Thank you.

Mr. ARENS. Can't you tell us whether or not that document is a true and correct reproduction of a letter you sent to the State Department in which you said you had never been a Communist and had never supported their doctrines as such?

Mr. BICK. I respectfully decline to answer this on the grounds of the fifth amendment.

Mr. SCHERER. He wasn't under oath, Mr. Counsel, when he signed that letter.

Mr. ARENS. It doesn't so appear, Congressman.

Mr. SCHERER. There is no affidavit appended to that.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you did send a letter to the Department of State under date of January 17, 1956, in which you stated that you were not and had never been a member of the Communist Party nor have you ever supported their doctrines as such.

Mr. BICK. The same answer, sir.

Mr. ARENS. I see just between the two paragraphs of the letter I have just read to you, in handwriting, the word "affidavit," a-f-f-i-d-a-v-i-t. Did you cause that to be inserted there?

Mr. BICK. The same answer.

Mr. ARENS. Tell the committee, in view of the fact that you have this passport application pending and, in view of the fact that you sent this letter to the State Department, are you now or have you ever been a member of the Communist Party?

Mr. BICK. I respectfully decline to answer and invoke the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. BICK. The same answer, sir.

Mr. KEARNEY. If you were not a member of the Communist Party, would you so state?

(The witness conferred with his counsel.)

Mr. NEEDLEMAN. Will you repeat the question?

Mr. KEARNEY. I asked him if he were not a member of the Communist Party at the present time, would he so state.

Mr. BICK. I decline to answer that on the grounds of the fifth amendment.

Mr. ARENS. Have you ever used any name beside the name of Abraham Joshua Bick?

(The witness conferred with his counsel.)

Mr. BICK. I wrote a few books and articles in Hebrew and used a pseudonym—pen name.

Mr. ARENS. Is that the only time you ever used a name other than the name Abraham Joshua Bick?

Mr. BICK. A few times I did.

Mr. ARENS. I asked, have you ever used any other name in connection with any other activity of yours?

Mr. BICK. Writing papers.

Mr. ARENS. Did you ever use the name of N. Koenig, K-o-e-n-i-g?

Mr. BICK. Never.

Mr. ARENS. Have you ever had a name in the Communist Party other than your own name?

Mr. KEARNEY. The witness understands the question very well.

Mr. NEEDLEMAN. Somebody might think he does.

Mr. ARENS. Have you given an answer to that question?

Mr. WILLIS. He gives the impression of being dumb as a fox.

Mr. BICK. I don't understand that.

Mr. ARENS. Let's try another name. Have you ever used the name of Alan McGill, M-c-G-i-l-l?

Mr. BICK. I respectfully decline to answer the question on the grounds of the fifth amendment.

Mr. SCHERER. Just a moment. I ask that you direct the witness to answer the question. He certainly has waived any right he has to invoke the fifth amendment with respect to that question. He already has told counsel he never used any other name. We have certainly a right to cross-examine and ask him further with reference to the name.

The CHAIRMAN. Yes. You are directed to answer the question.

(Representative Velde entered the hearing room.)

(The witness conferred with his counsel.)

Mr. BICK. I could mention some names which I used in Hebrew.

Mr. ARENS. Tell us not the Hebrew names you used on your writings, but what names you may have used in any connection other than the name of Abraham Joshua Bick.

(The witness conferred with his counsel.)

Mr. ARENS. Can't you just answer the question, please, sir? Have you ever used the name of Alan McGill, M-c-G-i-l-l, A-l-a-n is the first name?

Mr. BICK. I respectfully decline to answer this on the grounds of the fifth amendment.

Mr. KEARNEY. Have you ever used the nickname "Mac"?

Mr. BICK. I have no nickname. Joshua is my middle name.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that in 1947 you were in the Yorkville section of the Communist Party in New York under the name of Alan McGill, M-c-G-i-l-l.

Mr. BICK. I decline to answer on the ground of the fifth amendment.

Mr. ARENS. Have you, also, in addition to your rabbinical activities, been a professor? Could you just tell us that, please, sir?

Mr. BICK. I don't recall being called a professor.

Mr. ARENS. Let us see if this might refresh your recollection. I lay before you now the Daily Worker of New York, Thursday, January 19, 1956, just this year.

"Jewish studies at Jefferson School of Social Science, a program of 10-session evening courses," and so forth. Among the instructors who are going to teach on Mondays at 6:45 at these 10 sessions of evening courses, is a person by the name of Abraham Bick. Are you that person?

Mr. BICK. I plead the fifth amendment to that question.

Mr. ARENS. If they do not call you professor, did they call you instructor?

I lay before you a photostatic copy of a document which is on the letterhead of the School of Jewish Studies in New York City. The

board of directors lists a number of persons including Rabbi Abraham Bick. I ask if that helps refresh your recollection as to any of your professorial activities in the past.

Mr. BICK. I invoke the fifth amendment.

Mr. KEARNEY. What is the Jefferson School?

Mr. BICK. The fifth amendment?

Mr. KEARNEY. What is the Jefferson School?

Mr. BICK. It is a school, probably.

Mr. KEARNEY. What kind of a school?

Mr. BICK. Doesn't it say on the letterhead there?

Mr. KEARNEY. I don't know. You tell me.

The CHAIRMAN. You said it is a school. If you know it is a school, what kind of a school is it?

Mr. BICK. Look at the letterhead and see.

Mr. KEARNEY. Do you know who runs the school?

Mr. BICK. I don't know.

Mr. KEARNEY. Where is the school located?

Mr. BICK. I think it is located somewhere on Sixth Avenue.

Mr. KEARNEY. Where on Sixth Avenue?

Mr. BICK. 16th Street.

Mr. KEARNEY. Again to go back, who runs this Jefferson School?

Mr. BICK. I don't know who runs it.

Mr. KEARNEY. When did you instruct there?

Mr. BICK. I decline to answer. I invoke the fifth amendment on that.

Mr. ARENS. Did you ever have your passport picked up on the Canadian border?

Mr. BICK. The same answer, sir.

Mr. ARENS. I put it to you as a fact that a year or so ago you were trying to get into Canada and your passport was picked up there by the Canadian authorities; isn't that correct?

Mr. BICK. It was picked up. I don't know by what authority.

Mr. ARENS. When was it picked up?

Mr. BICK. In 1953, if I recollect. It was in December.

Mr. ARENS. Tell us about it. How did it happen to be picked up?

Mr. BICK. I used it as identification. I showed this as identification.

Mr. ARENS. Where were you going in Canada?

Mr. BICK. I invoke the fifth amendment on that.

Mr. ARENS. How did it happen to get picked up? Tell us about that.

Mr. BICK. I invoke the fifth amendment.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you were en route to a Communist caucus in Canada when your passport was picked up by the Canadian authorities on the Canadian border.

Mr. BICK. The same answer.

Mr. ARENS. If that isn't true, deny it under oath.

Mr. BICK. I invoke the fifth amendment to that.

Mr. ARENS. After your passport was picked up, as you told us, you filed an affidavit with the State Department in 1955; an affidavit of inability to present previously issued passport, stating "Lost on my way back home to New York." Is this a photostatic copy of the document that you filed with the State Department after your passport was picked up by the Canadian authorities?

(The witness conferred with his counsel.)

Mr. SCHERER. Is that under oath?

Mr. ARENS. Excuse me. Let me see if it is under oath.

Mr. NEEDLEMAN. Yes; it is.

Mr. ARENS. Yes; it is sworn to.

Mr. SCHERER. What was the date of that?

Mr. ARENS. October of 1955.

Mr. SCHERER. The statute of limitations has not run. It would be a false representation under oath as to existing or past fact knowingly made with the intention of obtaining advantage.

Mr. ARENS. First of all, identify that document.

Mr. BICK. Yes; I identify it.

Mr. ARENS. You stated in this document you lost your passport; did you not?

Mr. BICK. There was another one attached to it, another document to it, an affidavit. I assume it was either lost or taken away. It was not returned. It was attached to this.

Mr. ARENS. You told us a moment ago that it was picked up.

Mr. BICK. Yes, it was picked up. They said "We don't know you." So I made the affidavit. "It was either lost or you have it. Please send it back to me." I wrote to them and they never sent it back to me.

Mr. ARENS. You didn't say anything about that.

Mr. BICK. Yes, I did. "I assume it is lost."

Mr. ARENS. Now you assume it is lost, but a little while ago you didn't have any assumptions at all. You told us as a fact that it was picked up by people on the Canadian border.

Mr. BICK. But I stated in my affidavit that it was picked up and still I assumed it was lost.

Mr. KEARNEY. Do you mean to say after the Canadian authorities picked it up you assumed it was lost?

Mr. BICK. I didn't assume the Canadian authorities picked it up.

Mr. NEEDLEMAN. I think you misunderstood. I believe he said that it was picked up at the border. He didn't identify whether it was the Canadian authorities.

Mr. KEARNEY. As I understood, he said it was picked up by the Canadian authorities.

Mr. BICK. It was an inspector. There is another affidavit in which I said it may have been lost or may have been sent to the State Department.

Mr. KEARNEY. As a matter of fact, you know your passport was picked up, whether on this side of the border or on the other side, do you not?

Mr. BICK. I have stated in my affidavit which is attached to it, which I have sent to the State Department, that either it was lost—I am not sure it was lost or picked up. Maybe it was lost there.

Mr. KEARNEY. I would like to get it cleared up because a minute ago he testified it was picked up.

Mr. ARENS. I think we might refresh the witness' recollection by an article from the Daily Worker of February 26, 1953, datelined Toronto, Ontario, February 25, with reference to a rally:

A message was read from Rabbi Abraham Bick, of New York, who had been scheduled as a speaker but who had been stopped at the border by Canadian

officials. The message declared that the hysteria being spread in the United States by Senator Joseph McCarthy was responsible for the action of the Canadian immigration authorities.

Look at that, Mr. Bick, and tell us whether or not that helps refresh your recollection as to what might have transpired on this matter of your passport which a few moments ago you said was picked up and now you feel it was lost.

(The witness conferred with his counsel.)

Mr. BICK. May I clear it up?

Mr. ARENS. Look at that article and see if it helps to refresh your recollection. It has been a couple of years ago.

Mr. BICK. They picked it up at Malton Airport, Ontario.

Mr. KEARNEY. In Canada?

Mr. BICK. In Canada.

Mr. KEARNEY. In other words, the Canadian authorities did pick up your passport?

Mr. BICK. Because I used it as identification.

Mr. KEARNEY. Then it was not lost?

Mr. BICK. When I went back I asked them where it was, they said "We don't know, ask the Americans." I did not ask any Americans. I went home. Then I wrote that I assumed either it was lost or the State Department has it. The fact is that I wrote three letters to the State Department to send it back and they didn't. So I assume it was lost. This I stated in my affidavit which is attached to it. I hope you have it.

Mr. ARENS. This article gives a little bit different version. It says that Rabbi Abraham Bick, who had been scheduled as a speaker up there, had been stopped at the border by Canadian officials and that you sent a message protesting all this as part of the hysteria sweeping the country. Is that the fact that occurred?

Mr. BICK. I don't know who wrote it.

Mr. ARENS. You don't know who wrote what?

Mr. BICK. The article.

Mr. ARENS. Just tell us, were you stopped at the Canadian border by the Canadian officials?

Mr. BICK. Yes; I was.

Mr. ARENS. Did they take your passport away from you?

Mr. BICK. I don't know who took it, the Americans or Canadians.

Mr. ARENS. Was your passport taken away from you by some official of the Government?

Mr. BICK. Yes, but I don't know what Government.

Mr. ARENS. Were you permitted to enter Canada to go to this rally?

Mr. BICK. I was not.

(Representative Walter left the hearing room.)

Mr. ARENS. Did you send a message?

Mr. BICK. I don't remember sending a message.

Mr. KEARNEY. How long ago was this, Mr. Counsel?

Mr. BICK. 1953, December or January.

Mr. SCHERER. Why did you say, then, in this affidavit that it was "lost on my way back home to New York"? It was taken from you on your way to Canada, according to your testimony.

Mr. BICK. I explained that it was taken as a means of identification, that I am an American citizen. In fact, when I didn't have it I used other means. I didn't have it any more.

Mr. SCHERER. When you were in Canada you used other means?

Mr. BICK. Showing that I am a citizen. Means of identification. I gave it as identification. When I had to go back they didn't let me in. For the record, I want for the record that they never deported me from Canada.

Mr. SCHERER. When the Government officials picked up your passport as you attempted to enter Canada they did not return it to you, did they?

Mr. BICK. That is right.

Mr. SCHERER. You haven't seen that passport since that time?

Mr. BICK. I haven't seen that passport. I asked them, "Where is it?" They said, "We don't know."

Mr. SCHERER. I understand that. How can you say then in your affidavit that you lost the passport?

Mr. BICK. I assume it. I didn't say I was sure it was lost. I said either the State Department has it or I lost it. I definitely said that.

Mr. KEARNEY. I can't understand how you can assume that it was lost after the Canadians picked it up.

Mr. BICK. I have an affidavit stating that.

Mr. NEEDLEMAN. He says when he asked for it they said, "We don't know. Ask the State Department." From that he assumed it was lost.

Mr. SCHERER. If the Canadian officials lost it or our State Department lost it, then it wasn't lost by you on your way back to New York.

Mr. BICK. No. I said it was lost somewhere there on the Malton Airport. If I could see that affidavit, it would refresh my recollection.

Mr. NEEDLEMAN. Do you have that other statement?

Mr. ARENS. All we have is the document which has been exhibited.

Mr. KEARNEY. This is what I want to clear up: This is your own affidavit. You state here, not in substance, but in words, "And was lost on my way back home to New York."

Mr. NEEDLEMAN. The last sentence says "assumed."

Mr. BICK. I have another affidavit appended to that. I think possibly the Passport Division of the State Department has it.

Mr. KEARNEY. Do you know what perjury is?

Mr. BICK. I do.

Mr. ARENS. Tell this committee whether or not you are connected with the Civil Rights Congress.

(The witness conferred with his counsel.)

Mr. BICK. I invoke the fifth amendment on this.

Mr. ARENS. Didn't you on behalf of the Civil Rights Congress sign a protest branding Judge Medina and the decision of the jury in sending the 12 Communist traitors to jail, as an outrage against the human rights of all Americans? Did you do that?

Mr. BICK. I will plead the fifth amendment to this.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you did join with a number of other persons in condemning the conviction of the 12 Communist traitors in New York City—

Mr. BICK. The same answer.

Mr. ARENS. As an outrage against civil human rights of all Americans.

Now I lay before you a document which I would like to have you help us with. It is about Camp Lakeland, "A different kind of vacation camp, incomparable programs, tops in food, and all facilities."

Where is Camp Lakeland?

(The witness conferred with his counsel.)

Mr. ARENS. According to this ad, it is on "Beautiful Sylvan Lake." Do you know anything about it?

Mr. BICK. I think so.

Mr. ARENS. Tell us what you know about this Camp Lakeland.

Mr. BICK. It is a Jewish camp.

Mr. ARENS. Is that all it is?

Mr. BICK. That is what I think.

Mr. ARENS. Is it controlled by the Communist Party?

Mr. BICK. I don't know that.

Mr. ARENS. You don't know about that?

Mr. BICK. No.

Mr. ARENS. Look at this ad, please, and see if that refreshes your recollection. It states a number of people are going to be running this camp, including a Mr. Bick. Tell us whether or not you are the Bick who is connected with that camp.

Mr. BICK. I will invoke the fifth amendment on any document, sir, pertaining to self-incrimination.

Mr. ARENS. Forget about the document at the moment and tell us what you do at Camp Lakeland.

Mr. BICK. The same answer, sir.

Mr. ARENS. Is it a Communist training center? If it is not, why don't you deny it under oath?

Mr. BICK. Against possible self-incrimination, I invoke the fifth amendment.

Mr. ARENS. Are you connected with the American Peace Crusade?

Mr. BICK. The same answer, sir.

Mr. ARENS. I lay before you a photostatic copy of a letter on the letterhead of the American Peace Crusade, dated April 10, 1953. This lists its initial sponsors, including the name of Rabbi Abraham J. Bick. I ask you if you are that individual.

Mr. BICK. I invoke the fifth amendment.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you are that individual and that you are one of the moving lights in the American Peace Crusade.

(The witness conferred with his counsel.)

Mr. BICK. The same answer. I plead the fifth amendment.

Mr. ARENS. What is the status of your present application in the Department of State for permission to journey abroad?

Mr. BICK. I invoke the fifth amendment on this question.

Mr. ARENS. Do you know the status of your case? Has it been approved? Has it been turned down? Is it pending? What is the situation on that?

Mr. BICK. Under the protection of the fifth amendment I will not discuss it.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question. I cannot conceive of

a situation in which he would be incriminating himself by just telling us whether he knows the status of his application.

Mr. WILLIS (presiding). Yes; you are ordered to answer the question.

(The witness conferred with his counsel.)

Mr. BICK. I have applied for a passport.

Mr. ARENS. What is the status of it? Have they denied, approved, or are they considering your application?

Mr. BICK. They want me to sign an affidavit.

Mr. ARENS. The Department of State wants you to sign an affidavit as to whether or not you are a Communist; isn't that true?

Mr. BICK. Yes.

Mr. ARENS. The passport is pending until you do sign that affidavit; is that correct?

Mr. BICK. Probably.

Mr. ARENS. You sent a letter to the Department saying that you weren't a Communist; didn't you?

Mr. KEARNEY. Mr. Counsel, just to interrupt a minute before he answers that question. The State Department has offered you a hearing and you have refused; haven't you?

(The witness conferred with his counsel.)

Mr. BICK. I did not refuse any hearings. In fact, I wrote them a letter.

Mr. KEARNEY. They offered a hearing?

Mr. BICK. Yes.

Mr. KEARNEY. How long ago was that?

Mr. BICK. Months ago.

Mr. KEARNEY. Months ago?

Mr. BICK. Yes. Last winter, maybe.

Mr. KEARNEY. How many months ago?

Mr. BICK. Maybe March or February. I can't recollect.

Mr. KEARNEY. Why haven't you accepted the hearing?

Mr. BICK. Because they scheduled the hearing for a certain date that I couldn't appear.

Mr. KEARNEY. Is that the only reason?

Mr. BICK. Yes. Then I didn't bother any more. When they requested an affidavit, I didn't bother.

Mr. KEARNEY. After the State Department sent you the request that you would have to sign an affidavit as to whether or not you were a Communist, you didn't bother any more?

Mr. BICK. Yes, but I still may go down to have a hearing.

Mr. KEARNEY. You may still go?

Mr. SCHERER. You are willing to say, as you did in the letter, when you are not under oath that you are not a member of the Communist Party, but when you are under oath, as you are here, you will not so state, is that right?

Mr. BICK. I don't know what I will say there, but I will be down there.

Mr. SCHERER. You haven't furnished the affidavit that the State Department requested, have you?

Mr. WILLIS. He has not so stated that here.

Mr. BICK. I stated I wanted to see my father in Israel.

Mr. KEARNEY. I think that is the most truthful statement you have made here—that you don't know what you will say when you get there.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

We have two other witnesses who have been subpoenaed to appear today.

Mr. VELDE. I would like to ask a couple of questions.

Mr. WILLIS (presiding). Proceed, Mr. Velde.

Mr. VELDE. I can't quite get clear in my mind this trip to Canada, when your passport was removed by the Canadian authorities. Did you ever get into Canada subsequent to that time?

(The witness conferred with his counsel.)

Mr. VELDE. After that time?

Mr. BICK. May I hear the question again, please?

Mr. VELDE. Did you ever get into Canada after the time that your passport was removed in 1953?

(The witness conferred with his counsel.)

Mr. BICK. I did go.

Mr. VELDE. How did you get in that time?

Mr. BICK. I simply was let in.

Mr. VELDE. Did the inspectors ask you any questions?

Mr. BICK. Nothing at all. I just showed him identification that I was a citizen.

Mr. VELDE. What was the date of this trip?

Mr. BICK. If I recollect, it was somewhere in April.

Mr. VELDE. Of this last year?

Mr. BICK. Yes.

Mr. VELDE. What was the purpose of the trip?

Mr. BICK. I plead the fifth amendment to this question.

Mr. VELDE. Where did you go in Canada?

Mr. BICK. The same answer, sir.

Mr. VELDE. I am inclined to agree with my colleague, Mr. Scherer, that it certainly looks like there is a good case of perjury in this affidavit which has been filed with the State Department.

Mr. SCHERER. Yes, Mr. Chairman, and I think we should refer the testimony in this case, including that affidavit, to the Department of Justice for consideration of possible perjury prosecution by it.

I want to ask this one question: I wasn't here when you began your testimony. Are you a naturalized citizen?

Mr. BICK. Yes, sir.

Mr. SCHERER. By derivation? Does your father live in Israel now?

Mr. BICK. Yes.

Mr. SCHERER. Is he an American citizen?

Mr. BICK. Yes.

Mr. SCHERER. When did he become a citizen?

Mr. BICK. In 1953. Then he returned.

Mr. SCHERER. Is he still a citizen of this country?

Mr. BICK. I think so.

Mr. SCHERER. Is he living permanently in Israel now?

Mr. BICK. Not permanently. He has his family here. He is affiliated with the rabbinical there, but he returns from time to time.

Mr. SCHERER. I don't know whether the law provides for denaturalization.

Mr. ARENS. It doesn't.

Mr. SCHERER. If it did I certainly would ask the Department to consider possible denaturalization proceedings.

Mr. WILLIS. The witness will be excused.

(Committee members present: Representatives Willis (presiding), Kearney, Scherer, and Velde.)

Mr. ARENS. Is Mr. Leon Straus here?

(No response.)

Miss Stephanie Horvath?

(No response.)

Mr. WILLIS. Are they under subpoena?

Mr. ARENS. Yes.

Mr. WILLIS. The committee will stand in recess until 2 o'clock.

(Whereupon, at 11:35 a. m., the committee was recessed, to reconvene at 2 p. m. the same day.)

(Subsequent to the hearings, there was received by the committee the following letter.)

JEWISH STATISTICAL BUREAU,
New York, N. Y., July 27, 1956.

Congressman FRANCIS E. WALTER,

*Chairman, Committee on Un-American Activities,
House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN: Abraham J. Bick appeared before your committee as a witness on June 14, 1956, and the press described him as a rabbi. Now, our office maintains a Registry of American Rabbis under the auspices of all branches of American Judaism—Orthodox, Conservative, and Reform. The name of Abraham J. Bick is not included, and we promptly informed the press. We now respectfully request that you include our statement in your report of the hearing, as follows:

"Abraham J. Bick is not included in the Registry of American Rabbis maintained by the Jewish Statistical Bureau under the auspices of all wings of American Judaism—Orthodox, Conservative, and Reform. He is not a graduate of any of the Jewish theological seminaries that the Jewish Bureau records, and he is not a member of any association of rabbis. Nor is he connected with any Jewish congregation or engaged in other rabbinical work, according to the records of the Jewish Statistical Bureau."

We also desire to add the following on the basis of the data in our files, and you may include in your report also these statements, if you so desire:

(1) Abraham J. Bick claims that he was ordained in 1935 abroad, but we have nothing in our records to support this claim which he made in a written statement to us sometime ago.

(2) He further claims that beginning in 1936 and for about 7 years he served as rabbi, first in a congregation in Brooklyn, then one in the Bronx, and finally one in Manhattan. We have no data bearing on his service as a rabbi during those years. Our record shows only that during 1943-50, he was connected with a congregation or chapel maintained by a Jewish home for aged in Manhattan, employed by the home. In any event, it should be noted that service performed at a Jewish congregation or chapel does not signify that the person who performs the service is an ordained minister in the Jewish faith duly trained for the vocation of the rabbi.

(3) For a number of years Abraham J. Bick was a member of one of the associations of rabbis, according to the records for 1945 to 1952. Early in 1953 that association, our records further show, asked Abraham J. Bick to appear before its board of inquiry to answer charges. He promptly submitted his resignation, and since then he has not been a member of any rabbinical association.

(4) At the present time, and indeed since he left the employ of the Jewish home for aged, Abraham J. Bick, according to our records, has not been in religious employment whatsoever.

The Registry of American Rabbis is at all times available to the press and to public institutions for checking.

Constituent organizations of the Jewish Statistical Bureau include the national federations of Jewish congregations and the national associations of rabbis, as follows:

Reform:

Union of American Hebrew Congregations
Central Conference of American Rabbis

Conservative:

United Synagogue of America
Rabbinical Assembly of America

Orthodox:

Union of Orthodox Jewish Congregations of America
Rabbinical Alliance of America
Rabbinical Council of America
Union of Orthodox Rabbis of United States and Canada

Very sincerely yours,

H. S. LINFIELD, *Executive Secretary.*

AFTERNOON SESSION—THURSDAY, JUNE 14, 1956

(The subcommittee was reconvened at 2:10 p. m. at the expiration of the recess, there being present at the time of reconvening Representatives Willis and Kearney.)

Mr. WILLIS (presiding). The subcommittee, composed of Mr. Kearney from New York, Mr. Doyle, of California; and myself, Mr. Willis, of Louisiana, will now come to order.

Mr. ARENS. Mr. Leon Straus.

Kindly come forward, please, sir.

Remain standing while the chairman administers the oath to you, please, sir.

Mr. WILLIS. Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. STRAUS. I do.

Mr. WILLIS. Proceed, Mr. Counsel.

**TESTIMONY OF LEON STRAUS, ACCOMPANIED BY COUNSEL,
HAROLD CAMMER**

Mr. ARENS. Please identify yourself, sir, by name, residence, and occupation.

Mr. STRAUS. Leon Straus, 109 West 26th Street, New York; furrier.

Mr. ARENS. What is your occupation in furrier work, please?

Mr. STRAUS. I am an organizer.

Mr. ARENS. And for what organization?

Mr. STRAUS. Furriers joint board.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. STRAUS. Yes.

Mr. ARENS. You are represented by counsel?

Mr. STRAUS. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself?

Mr. CAMMER. Harold Cammer, C-a-m-m-e-r, 9 East 40th Street, New York 16, N. Y.

Mr. ARENS. This subpoena pursuant to which you are appearing today, Mr. Straus, requests you to produce before the committee all United States passports in your possession.

Do you have United States passports in your possession?

Mr. STRAUS. No.

Mr. ARENS. Do you have custody and control of any passports?

Mr. STRAUS. No, sir.

Mr. ARENS. When did you last have a passport?

Mr. STRAUS. Oh, 5 or 6 years ago.

Mr. ARENS. And what happened to that passport?

If I am interrupting something, maybe you want to make a note and then continue?

Mr. STRAUS. No, sir. I am just refreshing my memory as we go along.

Mr. ARENS. I mean I don't quite understand what you are doing. You are at liberty to do anything you want to. I don't want to interrogate you if you are busy making a notation.

Mr. STRAUS. I appreciate that. Thank you. I am just making notes as we go along.

Mr. ARENS. Of what we are saying here?

Mr. STRAUS. Yes.

Mr. ARENS. I didn't want to be discourteous to you.

Mr. STRAUS. Thank you. I don't want to be either.

Mr. ARENS. How many passports have you had?

Mr. STRAUS. I have had one passport.

And, in answer to your last question, it must have been mislaid. I last used it some 5 years ago. And when I was informed with the subpoena of the request for the passport I took occasion to look for it, and was not able to find it among my papers.

Mr. ARENS. Tell us specifically your present occupation. I don't believe we developed that in your initial questions.

Mr. STRAUS. I am an organizer for the fur workers union.

Mr. ARENS. How long have you occupied that position?

Mr. STRAUS. With an interruption of Army service—20 years.

Mr. ARENS. Have you always been an organizer, or have you during the course of that employment had different titles or designations?

Mr. STRAUS. My function since I have become affiliated with this union has been that of organizing workers.

(The witness confers with his counsel.)

Mr. ARENS. Have you held any office in the fur workers union?

Mr. STRAUS. Excuse me, if I may go back to the question.

I have had different titles in the course of my work. I tried to answer the question generally about my function, but I have been reminded by counsel that I ought to be specific about it. There have been different titles for me.

Mr. ARENS. Have you ever held an office in the fur workers union?

Mr. STRAUS. Yes, I have.

Mr. ARENS. Tell us the offices you have held.

Mr. STRAUS. I have been manager of local 125. I have been a member of the national executive board of the national union. I have been executive secretary of one of our unions, and am presently an organizer.

Mr. ARENS. May the record reflect the accurate name of the union?

Mr. STRAUS. It is now the fur and leather department of the Amalgamated Meat Cutters and Butcher Workmen of the United States and Canada, AFL-CIO.

Mr. ARENS. When did it actually assume this title you have just recited?

Mr. STRAUS. 11½ years ago.

Mr. ARENS. What was the title of the organization immediately prior to 11½ years ago?

Mr. STRAUS. International Fur and Leather Workers Union.

Mr. ARENS. Off the record a second, please.

(Discussion off the record.)

Mr. ARENS. The outstanding question is: Who was president of the union at that time?

Mr. STRAUS. Ben Gold.

Mr. ARENS. Where were you born?

Mr. STRAUS. United States of America.

Mr. ARENS. When?

Mr. STRAUS. In 1916.

Mr. ARENS. Have you virtually been identified with the Fur and Leather Workers Union all of your adult life, that is, all of your active working life?

Mr. STRAUS. No.

Mr. ARENS. What other activities or employments have you had? (Representative Clyde Doyle entered the hearing room at this point, and assumed the chair.)

Mr. STRAUS. I have gone to school; I have gone to college.

Mr. ARENS. I mean your employment. What other employment have you had?

Mr. STRAUS. I have worked in the garment industry. I have worked in the fur industry, and I have worked in the fur industry prior to my employment with the organization I now have.

Mr. ARENS. Did you make application in 1949 for a passport to go abroad?

Mr. STRAUS. Yes.

Mr. ARENS. I lay before you now a photostatic copy of a passport application marked for identification purposes as "Straus Exhibit No. 1." Can you identify that as a true and correct reproduction of the original passport application which you filed with the Department of State?

(Document handed to the witness.)

Mr. STRAUS. It appears to be.

Mr. WILLIS. What is the date of it?

Mr. ARENS. It was in March of 1949.

Now in this passport application, Mr. Straus, you say that you want to go to France and England. Is that correct?

Mr. STRAUS. Yes.

Mr. ARENS. And you say that the purpose of the trip is attendance as fraternal delegate to Fur, Shoe and Leather Workers Union, France convention, and combined with vacation. Is that correct?

Mr. STRAUS. Yes.

Mr. ARENS. Pursuant to this application did you receive a passport?

Mr. STRAUS. Yes, I did.

Mr. ARENS. And where did you go?

Mr. STRAUS. I went to France, to England, as I stated on the passport, and to Italy.

Mr. ARENS. And what did you do there?

Mr. STRAUS. I attended a convention of the French Fur and Leather Workers Union.

Mr. ARENS. Did you attend any other convention or meeting on that trip?

Mr. STRAUS. Yes. I was on a mission to Italy once I was on my way to Europe, to bring a gift of money from the workers of my union to the workers of Italy who had been suffering the ravages of the war, and we established a shoe factory which we turned over to the

workers and the unions in Italy in Cerignola, C-e-r-i-g-n-o-l-a, I think.

I turned the gift over and inspected the factory. This was to provide shoes at a low cost to the people of Italy.

Mr. ARENS. Who paid your expenses on this trip?

Mr. STRAUS. My union paid the expenses.

Mr. ARENS. Who directed you to go?

Mr. STRAUS. My union directed me to go.

Mr. ARENS. Who was your immediate superior in the union at that time?

Mr. STRAUS. The general executive board.

Mr. ARENS. Who was president of the union at that time?

Mr. STRAUS. Ben Gold.

Mr. ARENS. Did you intend to go to Italy when you left the United States?

Mr. STRAUS. Yes, I did.

Mr. ARENS. Why didn't you tell the State Department that you intended to go to Italy as one of the countries to be visited when you filed application for your passport?

Mr. STRAUS. At the time I filed my application for the passport, in March of 1949, I did not intend to go to Italy. I filed it with the express purpose of going to a convention of a union in France.

Shortly before I was to leave my visit was canceled. I did not leave in 1949 as a result of some union work that I had in this country.

One year later, to the next annual convention of the French workers union, my organization received another invitation to go as a delegate, and elected me to go. At that time I had already had a passport which I had not used for over 1 year. There was no reason for me to resubmit an application. And I continued on the same itinerary, England and France, and for the same purpose, except that it was extended solely for the purpose of this other union mission to Italy to deliver money and inspect the factory for the workers in Italy.

Mr. ARENS. Did you notify the State Department that you had a change in your itinerary?

(The witness confers with his counsel.)

Mr. STRAUS. I had no reason to notify the State Department.

Mr. ARENS. What did you notify that Department?

Mr. STRAUS. I didn't have to notify them.

Mr. ARENS. Did you notify the State Department?

Mr. STRAUS. Excuse me.

(The witness confers with his counsel.)

Mr. STRAUS. Was there any requirement that I should notify them?

Mr. ARENS. I just asked you if you did notify them.

Mr. STRAUS. Was I supposed to notify them?

Mr. ARENS. Would you just tell us whether or not you have a recollection of notifying the State Department that you had changed your plans to include Italy in your itinerary?

Mr. STRAUS. Are you asking me for the purpose of—

Mr. ARENS. I am only asking you whether or not—

Mr. STRAUS. Checking my application? You asked me first whether or not I applied to go to Italy in view of the fact that I went and didn't inform. Now I have explained to you in good conscience

how I did not apply to go to Italy, because I didn't intend to go, and how 1 year later, as a result of another development, I went to Italy. Now isn't that a reasonable——

Mr. ARENS. Are you afraid to tell us whether or not you told the State Department that you had changed your plans and that you wanted to include Italy in your itinerary?

Mr. STRAUS. I am not afraid of anything, Mr. Arens.

Mr. ARENS. Then tell us. Did you tell the State Department that you wanted to go to Italy? If you did, tell us "Yes"; if you didn't, tell us "No". And if you don't remember, say "I don't remember."

(The witness confers with his counsel.)

Mr. STRAUS. I don't know the purpose of the question, Mr. Arens.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE (presiding). It is a plain, direct question. Counsel has made it clear to you. If you remember that you did, say so as requested of you; if you don't remember, say that.

He is not trying to trap you, sir. That is not our business. We just want to know whatever the fact is.

Mr. ARENS. Mr. Chairman, I don't want to haggle with him. I just want him to answer "Yes" or "No."

Mr. DOYLE. You are directed to answer.

Mr. STRAUS. Mr. Chairman, I would like to ask you, so I can clear up my understanding of this matter: Counsel has asked me a question which would tend to imply that I have done something wrong.

Mr. DOYLE. No; no.

Mr. STRAUS. Well, his original question was directed in that vein.

I have explained what I have done. If I have done something wrong, I wish I would be educated about it, and I would know the purpose for which the question is asked.

Mr. WILLIS. Mr. Chairman, I respectfully suggest that he be directed to answer; and if he refuses to answer, let the record so show.

Mr. DOYLE. You are directed to answer.

(The witness confers with his counsel.)

Mr. STRAUS. I had no reason to notify the State Department, and did not do so.

Mr. ARENS. Where did you receive your visa to go to Italy?

Mr. STRAUS. I am not quite sure, Mr. Counsel, but I think the American Embassy office in Paris.

Mr. ARENS. When you left the United States, did you at that time intend to go to Italy?

Mr. STRAUS. Yes; I did.

Mr. ARENS. Why did you not attempt to procure your visa here to go to Italy before you left the United States?

Mr. CAMMER. Mr. Chairman, I am not sure you needed a visa to go to Italy or France at that time. An American passport——

Mr. ARENS. Then why did he get one in Paris?

Mr. CAMMER. I don't know that he did.

Mr. STRAUS. I said I wasn't sure. I know that I visited——

Mr. ARENS. If you don't know, just say "I don't know." If you do know, give us the information.

Mr. STRAUS. Please let me finish, Mr. Arens.

I answered you that I seem to recall—because I do know that I visited the American Embassy when I was in Paris; my hotel was right next door to the American Embassy. I visited, I met some of the American officials, and was shown around the Embassy. And I don't quite recall whether or not I asked for a visa. It's been a long time ago. It's just beyond my recollection now.

Why should you say that I know when I said I don't know?

Mr. ARENS. That is all I asked you. If you do not recall just say so.

Mr. STRAUS. I said that in the first instance.

Mr. ARENS. I was under the decided impression—and I believe the record will reflect—that you said you thought you got a visa in Paris.

Mr. STRAUS. I said if I remember.

Mr. ARENS. The record will reflect what you did say.

Mr. STRAUS. That I don't recall.

Mr. ARENS. How much money did you take to this organization in Italy from the International Fur and Leather Workers Union?

Mr. STRAUS. Well, I am not exactly sure.

Mr. ARENS. Give us your best recollection, your best estimate. I recognize it's been some few years ago.

Mr. STRAUS. There is an additional complication, Mr. Arens. I had two missions with regard to this.

I had been elected to make a contribution on behalf of my union to a children's orphan home in Paris for the same purposes as I explained—war-ravaged Europe and our desire to assist workers in Europe.

And the workers of our union had been making collections after the war for these causes. And on behalf of the organization I made a contribution to the children's orphan home in Paris, inspected the home, spent time with the children, and went to dinner, and so on.

Mr. WILLIS. Mr. Chairman, I suggest that all this is painting a story for the record. It is not a part of the event in his life. The primary purpose of his mission was to take that money. Now let us not have the record contain a long story about charity and things that he was doing.

The question is how much money did he take over there. Does he know or does he not know?

Mr. STRAUS. Mr. Willis, I am trying to explain.

Mr. WILLIS. That is not responsive to the question.

Mr. DOYLE. Be as brief as you can, please, because I know you want to finish, and so do we.

Counsel has asked approximately how much, about how much?

Mr. STRAUS. I am trying to explain that I had been instructed to make a contribution to this children's home in France.

Mr. WILLIS. To the best of your recollection; how much?

Mr. STRAUS. And in Italy.

I am not quite sure at this point. It's been a long time.

Mr. WILLIS. What is the total that you contributed to both organizations? Would that help you to come to the point?

Mr. DOYLE. You took a total sum and you divided it someway. How did you divide it?

Mr. STRAUS. No.

This money, Mr. Chairman, had been advanced to me in Paris by a firm, an American firm that had a Paris office of furriers. I didn't

take any money along with me in cash. And then delivered it to the organization.

Now it must be in the neighborhood of some \$5,000 or thereabouts, but I wouldn't want to be exact.

Mr. ARENS. Was the \$5,000 for both purposes or for one purpose? How was the \$5,000 designated?

Mr. STRAUS. For both purposes.

Mr. ARENS. Now of the \$5,000 what percentage went to the orphanage, and what percentage went to the organization in Italy?

Mr. STRAUS. I am not quite sure.

Mr. ARENS. Did as much as half of it go to the orphanage?

Mr. STRAUS. I don't recall.

Mr. ARENS. Did as much as a fourth of it go to the orphanage?

Mr. STRAUS. I have the same answer, Mr. Counsel.

Mr. ARENS. When you left the United States in 1949 on this mission, what organizations were you to contact in Italy?

Mr. STRAUS. The Italian unions.

Mr. ARENS. What Italian unions?

Mr. STRAUS. Confederation of Labor.

Mr. ARENS. And what unions were you to contact in France?

Mr. STRAUS. The French unions.

Mr. ARENS. In anticipation of your journey did you have correspondence with these two unions abroad prior to the time you left this country?

Mr. STRAUS. No, sir.

Mr. ARENS. Did you just walk in cold and lay \$5,000 on the table and walk out? Or did you have some introduction or some previous arrangements made for it?

Mr. STRAUS. Yes; my organization had correspondence, and arrangements were made. But you asked me if I had any, and I had none.

Mr. ARENS. What arrangements were made by your organization with these two unions?

Mr. STRAUS. We received correspondence inviting our organization to send a representative. Our organization designated a representative and communicated with them that I was coming.

Mr. ARENS. Did the organization extending the invitation solicit the funds? Or that was just a little extra gift?

(Representative Gordon H. Scherer entered the hearing room at this point.)

Mr. STRAUS. The organizations did not solicit funds of us. This was a voluntary gesture from our union, as existed in all of labor that I know of during that period to make contributions to the people in Europe.

(Representative Bernard W. Kearney left the hearing room at this point.)

Mr. ARENS. Did you return from Italy in the course of a few weeks' time and resume your work in the United States?

Mr. STRAUS. Yes; I did.

Mr. ARENS. Did you go to any other place?

Mr. STRAUS. I went no other place except to return home after 2 weeks.

Mr. ARENS. Did you file an application in 1951 for a renewal of your passport?

Mr. STRAUS. I think I did.

Mr. ARENS. I lay before you a photostatic copy of a document, marked for identification purposes as "Straus Exhibit No. 2." I ask you if that is a true and correct reproduction of the application for renewal of your passport filed by you in 1951.

Mr. STRAUS. It appears to be.

Mr. ARENS. And in this renewal application you state:

Countries to be visited: France. Purpose of trip: Vacation and rest for health.

Is that correct?

Mr. STRAUS. Yes.

Mr. ARENS. Was this passport renewal application granted?

(The witness confers with his counsel.)

Mr. STRAUS. Yes; it was.

Mr. ARENS. Then did you take a trip pursuant to the renewal authority granted you by the State Department to go to France for a vacation and rest for health? Did you do that?

Mr. STRAUS. As I understand it, the authority granted in the renewal of the passport was merely renewing my passport.

Mr. ARENS. Don't evade the question, sir. Answer the question.

You said you wanted to go to France and you wanted to go there for a vacation and rest for your health, didn't you? I am asking you if you went to France for your vacation and for rest for your health in 1951.

If you did, say "Yes, I did"; and, if you did not, say "No, I did not."
(The witness confers with his counsel.)

Mr. STRAUS. Yes, I did.

Mr. ARENS. You went to France for your health and for vacation. Is that correct?

Mr. STRAUS. I just answered that.

Mr. ARENS. At the time you left the United States did you intend to go any place other than to France?

(The witness confers with his counsel.)

Mr. STRAUS. Would you please—

Mr. ARENS. I will rephrase the question: As of the time you left the United States in 1951, after you had filed your application saying you were going to France for your vacation and for your health, did you intend to go any other place for any other purpose?

Mr. STRAUS. May I know the purpose of this question, Mr. Arens?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. DOYLE. That is a simple, direct question that can be answered "Yes" or "No."

Mr. CAMMER. The witness has said that he would like the purpose of it. He didn't complain about its simplicity.

Mr. DOYLE. Counsel is under no obligation to state the purpose of it. The witness is directed to answer.

Mr. STRAUS. Don't you think that—

Mr. ARENS. The purpose is to find out, for the information of this committee and the Congress, what your intention was when you left the United States after having advised your Government you wanted to go to France for vacation and rest for your health.

That is the purpose of the question.

Mr. STRAUS. Well, Mr. Arens, I think my intentions are my own.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question.

The courts have stated repeatedly that the state of a man's mind is as much a fact as the state of his digestion.

Mr. DOYLE. I direct you to answer. It is a simple question; it is a proper question.

Mr. STRAUS. The facts of a man's mind are the property of what, Mr. Doyle?

Mr. DOYLE. I will not take time to argue with you.

You are directed to answer.

It is a fair question and it is a direct question.

Mr. STRAUS. I have no intention of arguing with you, Mr. Chairman, but—

Mr. WILLIS. Then answer the question "Yes" or "No," or "I don't know" or "I don't remember."

Mr. STRAUS. I happen to disagree that the thoughts of a man's mind are the purposes of this committee.

Mr. WILLIS. You are refusing to answer?

Mr. STRAUS. No. I would like to get that question clarified.

I am ordered to answer because my thoughts are his property?

Mr. DOYLE. We do not accept your statement as an answer. We are in no position to accept it.

I direct you to answer. And, then, whatever your answer is, we are going to proceed.

Mr. STRAUS. Mr. Chairman, I respectfully submit—and I don't intend to make any speech before you here—that my thoughts are my own property as guaranteed to me under the Bill of Rights and the Constitution, and I don't accept what Mr. Arens has just said to me.

Mr. WILLIS. And you refuse to answer. Is that right?

Mr. STRAUS. That is—

Mr. WILLIS. Are those the grounds on which you refuse to answer?

Mr. STRAUS. That is one of the grounds.

Mr. WILLIS. All right.

Mr. ARENS. Had you conferred with anybody—

Mr. SCHERER. Wait a minute.

He said that is one of the grounds.

I think we should say that, in our opinion, if he doesn't answer the question he is in contempt of the committee.

But since he said that was one of the grounds, that appears in the record.

Do you have other grounds?

Mr. STRAUS. Yes, I have other grounds.

Mr. SCHERER. Legal grounds?

Mr. STRAUS. I think they are moral, political, and legal grounds.

Mr. ARENS. I respectfully suggest that he may want to consult with his counsel before he leaves this question.

Mr. SCHERER. There is only one other ground we will recognize, and that is if you claim that to answer might tend to incriminate you.

I am not saying that—

Mr. STRAUS. I think I am the best judge of my own grounds and what I will recognize to be as grounds, for what I believe to be right.

Mr. ARENS. We will get on to another question then.

Where did you go when you left the United States in 1951?

Mr. STRAUS. For what purpose are you asking this question?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. DOYLE. You are directed to answer that question.

Mr. STRAUS. Because my thoughts belong to Mr. Arens?

Mr. SCHERER. Where you went certainly has nothing to do with your thoughts or your intentions.

Mr. STRAUS. Mr. Arens has already informed me that the purpose of the question is because my thoughts belong to him.

And I respectfully submit they do not.

Mr. ARENS. I think the record ought to be correct on that.

I made no such statement, nor did I say anything that could, by any tortured stretch of the imagination, be construed as that.

Mr. STRAUS. Will you please enlighten me and correct that?

Mr. ARENS. Tell us where you went in 1951, Mr. Straus. Where did you go in 1951 after you secured travel documents from the Department of State of this Government to go some place? Where did you go?

(The witness confers with his counsel.)

Mr. STRAUS. Mr. Arens, am I being charged with violating any law?

Mr. WILLIS. Mr. Chairman, may I suggest that this man is represented by competent counsel, and, by his very appearance, he is pretty able and very smart himself. He knows that he doesn't have to answer the question if he wants to invoke the protection of the fifth amendment.

If he has no answers or he doesn't claim any privileges he must answer. That is the end of it.

But if you invoke your privilege you are thoroughly protected. You know that.

Mr. ARENS. If he does so in good faith.

Mr. WILLIS. In good faith.

Mr. STRAUS. Mr. Congressman Willis, I thank you for the compliment, but I am a novice in this room.

And I appreciate the fact that I am dealing with very skilled, experienced, and tried gentlemen—with reference to this question.

Mr. ARENS. Tell the committee where you went in 1951 when you received your passport.

Mr. STRAUS. Mr. Arens, will you permit me to answer the Congressman?

Mr. DOYLE. The chairman is not going to permit you, sir, to engage in a dissertation with the committee. A fair question has been asked you, and I am directing you to answer.

Please save your own time and ours by being direct.

If you can conscientiously plead the amendment that is your privilege.

(The witness confers with his counsel.)

Mr. STRAUS. Mr. Chairman, I am quite willing to tell you that among the grounds for which I am refusing to answer this question is the fifth amendment of the Constitution.

But I also, since I was asked by two of the Congressmen sitting beside you, wanted to explain the other grounds upon which I am refusing to answer.

In my mind there are several with regard to freedom of conscience and my own thinking, and the first amendment of the Bill of Rights, as well as the fact that I don't like the idea of being called here and implied with the charge that I am violating the laws of this country without having the charge before me, without being informed of anything, having a procedure of this nature without having witnesses or the right of cross-examination, and the protections that are guaranteed to me in a court of law that I am entitled to have.

Mr. DOYLE. We have given you time to make that speech.

Do you refuse to answer on the grounds of the fifth amendment? Is that correct?

Mr. STRAUS. I do so.

Mr. DOYLE. Plus the others that you have given?

Mr. STRAUS. I do so refuse on that ground as well as the others which I have stated.

Mr. ARENS. Mr. Straus, if you told this committee where you went in 1951, pursuant to the renewal of your passport application, is it your honest judgment that you would be supplying information which might be used against you, directly or indirectly, in some type of criminal proceeding?

Mr. STRAUS. I don't know who you are going to set up as some witness against me, someone who will tell lies about me. I have done nothing wrong. I have answered your questions. I have told you what I have done.

Mr. ARENS. When you say you have done nothing wrong you mean you have done nothing wrong today in this interrogation. Is that what you mean?

Mr. STRAUS. I have done nothing wrong in my entire life.

Mr. ARENS. Have you been a member of the Communist conspiracy at any time during your entire life?

Mr. STRAUS. That is exactly what I was talking about a few moments ago to you, Mr. Chairman.

Mr. ARENS. Then, if you have done nothing wrong in your life, while you are under oath do you deny you have been identified with the Communist conspiracy—deny you have been active in the Communist conspiracy—deny you have been a part and parcel of a Communist conspiracy to overthrow the Government of the United States by force and violence?

I challenge you to do so now under oath.

Mr. CAMMER. I think that is out of order.

Mr. DOYLE. It is the witness who is under oath, and we want his testimony.

That is a question, a direct question, and counsel is manifestly trying to shorten the procedure by asking you one of the very important questions and one of the jurisdictional questions of this committee under Public Law 601.

(The witness confers with his counsel.)

Mr. STRAUS. Mr. Chairman, I have made my position clear, and I refuse to answer on the grounds as stated, the fifth amendment and the others.

Mr. ARENS. I lay before you, first, a photostatic copy of an article in the Communist Daily Worker, July 3, 1951, entitled "Eleven Unionists From United States Start Tour of U. S. S. R." Dateline: Moscow, July 2, in which there appears the list of persons who are

described as trade unionists, a trade-union delegation visiting in Moscow. A picture also appears of a man by the name of Straus. In this article appears among the list of delegates "Leon Straus, vice president, Fur and Leather Workers, New York."

Straus is identified in this article as chairman of the delegation who made a speech at that time in Moscow.

Look at this please, and see if it refreshes your recollection.

(Document handed to the witness.)

Mr. STRAUS. Very poor picture.

Mr. ARENS. Poor picture of whom?

Mr. STRAUS. I don't know.

Mr. ARENS. Do you have any other comments to make about that?

Mr. STRAUS. I have given you a general answer to your first question, and I give you the same answer for this question.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the Leon Straus identified—

Mr. DOYLE. I am wondering how you would be qualified to say it was a poor picture if you don't know who it is.

Mr. STRAUS. I was just kidding, Mr. Chairman. Let's break it up.

Mr. ARENS. Would you get serious with us now? I put it to you as a fact, and ask you to affirm or deny the fact, that you are the Leon Straus identified in this picture as head of the delegation of 11 persons who were in Moscow on July 2, 1951.

If it is not true, deny it while you are under oath.

(The witness confers with his counsel.)

Mr. STRAUS. I refuse to answer that question.

Mr. DOYLE. On what grounds?

Mr. STRAUS. On the grounds I have already stated, Mr. Chairman.

Mr. SCHERER. Does that include the fifth amendment?

Mr. STRAUS. Yes, sir.

Mr. ARENS. Did you receive any income in 1951 other than the income which you received from your union?

Mr. STRAUS. I received no income in 1951 other than that which I received from payment for my job in the union.

Mr. ARENS. You received pay for a speech you made in Moscow, while in the Soviet Union, did you not? If you didn't, deny it while you are under oath.

Mr. STRAUS. That is just nonsense. And I have already given you my general denial of these questions.

Mr. WILLIS. You mean it is nonsense to deny that you received money for that purpose? Is that what you meant?

Mr. STRAUS. I am telling you that I received money in payment of my work in the union. The only money I ever received in 1951 or in any other time of my life has been in payment for my job.

Mr. ARENS. Did you make a speech in Moscow on July 11, 1951, which was recorded?

Mr. STRAUS. I have already answered that question, Mr. Arens.

Mr. ARENS. Answer it again.

Mr. WILLIS. It has never been asked of you.

Mr. DOYLE. I direct you to answer the question, sir.

(The witness confers with his counsel.)

Mr. STRAUS. I am sorry; I have a difference of opinion about what the question exactly was.

Mr. ARENS. I think perhaps you might want to restate your answer there.

Mr. STRAUS. Did you say, did I get paid for a speech in Moscow?

Mr. ARENS. That is the question that is outstanding.

Mr. STRAUS. I received no pay for a speech in Moscow.

Mr. ARENS. Did you make a speech in Moscow?

Mr. STRAUS. I have already answered that question previously.

Mr. ARENS. Let's get the record clear and answer it again.

Mr. STRAUS. I refuse to answer the question.

Mr. SCHERER. I ask that the witness be directed to answer the question.

Mr. DOYLE. You are directed to answer the question. We can't accept that answer as sufficient.

Mr. STRAUS. Mr. Chairman, would you like me to state all the grounds again upon which I refuse to answer this question?

Mr. DOYLE. Yes.

Unless we can do this: If counsel for the committee has no objection, we will stipulate that wherever you refuse to answer the question you will do so under the grounds of the fifth amendment.

Mr. STRAUS. Including the other grounds that I have already stated, Mr. Chairman; yes.

Mr. WILLIS. On the grounds previously stated by you.

Mr. STRAUS. Yes, sir.

Mr. CAMMER. I will so stipulate.

Mr. DOYLE. Have you any objection to that?

Mr. ARENS. I would be ill disposed to recommend that stipulation to this committee for this reason: There are a number of questions we may want to ask him on which he does not have the right to invoke the fifth amendment.

Mr. DOYLE. Then the committee will not enter that stipulation which I suggested, and I withdraw my suggestion.

Mr. ARENS. I put it to you as a fact, that on July 11, 1951, you made a speech, a recorded speech, in Moscow, which was broadcast insofar as it was able to be beamed all over the then English-speaking world, in which you lauded the Soviet Union and the activities of the Communist-controlled Government and in which you deprecated your own Nation, your own workers in the United States of America.

If that is not true deny it now while you are under oath.

Mr. STRAUS. No; it is not the truth that I ever in any time of my life deprecated my own Nation, the American people, the country that I love.

Mr. ARENS. Why not give us a full answer to the question?

Mr. STRAUS. I thought I answered the question. If there is any part of your lengthy question that I have omitted I would appreciate if you would refresh my memory.

Mr. ARENS. I beg your pardon.

Mr. STRAUS. I said I thought I answered the question that you asked. But if there is any part of your lengthy question that I have omitted I will endeavor to answer it.

Mr. ARENS (reading):

I want to call your attention to the fact that the utmost respect for our people in our Nation is felt here in the Soviet Union.

Did you say that in Moscow on July 11, 1951?
(The witness confers with his counsel.)

Mr. STRAUS. I refuse to answer that on the grounds previously stated.

Mr. ARENS. Did you state in that speech on July 11, 1951:

People of the Soviet Union express the wish that our land and their land continue to be free and at peace with one another.

Mr. STRAUS. Mr. Arens, my job requires me to make speeches, and I must have made thousands of them. If you are going to ask me——

Mr. ARENS. I asked you about——

Mr. STRAUS. About a phrase, if you are going to ask me about a phrase in one of a thousand speeches it is just going to be impossible for anyone in his right mind to remember it.

Mr. ARENS. We will not ask about a phrase. We will ask about the whole speech.

Did you make a speech in a foreign land having the tenor of what I just recited to you?

Mr. STRAUS. I have already stated that I refused to answer the question on the grounds previously stated.

Mr. ARENS. I lay before you a document entitled "We Pledge Peace, a Friendship Book. We Greet the People of the Soviet Union." It contains an article describing how wonderful things are in the Soviet Union and the peace and friendship of the Soviet Union toward everybody, including the United States, signed by Leon Straus, vice president, International Fur and Leather Workers Union, New York City.

Was that document released with your knowledge and approval, acquiescence and cooperation?

(Document handed to the witness.)

(The witness confers with his counsel.)

Mr. STRAUS. Mr. Chairman, I refuse to answer the question on the grounds previously stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you are the Leon Straus who authorized this statement which was published.

Mr. DOYLE. Is there a date to that, counsel?

Mr. ARENS. It was in 1951 or 1952.

Mr. DOYLE. Who issued that? I mean does the address of the fur and leather union appear on it?

Mr. ARENS. No, sir.

Mr. DOYLE. For purposes of identification.

Mr. ARENS. No, sir.

I lay before you a photograph in connection with that publication entitled, American Workers See for Themselves. A number of persons appear in the photograph taken at that time in Moscow.

Can you recognize your picture in that photograph? There is a caption under it: "Leon Straus."

See if that is a good likeness. The previous picture you seemed to criticize.

(Document handed to the witness.)

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you appear right in the middle of that photograph.

Mr. STRAUS. I already answered that.

Mr. ARENS. Taken in Moscow.

Mr. STRAUS. I already answered the question.

Mr. ARENS. In view of your pronouncement that you have never said anything disparaging or to hurt the United States, I would like to invite your attention to a series of articles which appeared in the Daily Worker entitled, "Unionist Found France Pauperized by Marshall Plan"—telling of this delegation:

The delegation spent 5 weeks in Europe and visited the countries of France, Italy, Poland, and the Soviet Union. In addition, the delegates were able to spend a limited time in Berlin, Vienna, and Prague.

Did you when you were on this trip, in addition to being in France for your health and for rest, go to Italy, Poland, and the Soviet Union?

Mr. STRAUS. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. The head of this delegation, as recited in the Daily Worker of August 13, 1951, is Leon Straus, and again his picture appears.

Would you look at this and see if that refreshes your recollection as to what you might have said?

(The document was handed to the witness.)

(The witness confers with his counsel.)

Mr. STRAUS. Mr. Arens, we are just going ring-around-the-rose here. I have already given you an answer on this whole general area, and I am going to give you the same answer for each specific—

Mr. ARENS. We are going to persist until we are satisfied that we have done our duty by the American people in developing what facts we can elicit from you and other witnesses on this subject matter.

Mr. STRAUS. I don't think you—

Mr. ARENS. Let us look at still another article so that the committee can properly appraise your self-laudation that you have never said anything against the interests of the United States of America while you are abroad.

Mr. STRAUS. That is not self-laudation. That is something every American citizen should be proud of.

Mr. ARENS. Were you proud of this statement you issued and which was published in the Daily Worker under date of August 14, 1951. Listen to this and let me ask you whether or not you are proud of this statement:

Under the Marshall plan the United States gave a great deal of grain to Italy. Since there is no longer an exchange of machinery for this grain, many machine factories have had to close down and workers have been thrown out of work.

To make matters worse, Italian industrialists were loaned \$200 million under the Marshall plan to buy machinery from the United States. Thus, while they made a tremendous profit out of the transaction, it hurts the Italian workers by causing greater unemployment.

Not only that, but the workers, through their taxes, are forced to pay the interest on this gift, thereby taking an additional cut in their living standards.

Did you issue that statement in Italy?

Mr. STRAUS. I have already given an answer to this whole general area of questioning, and the same answer goes, Mr. Chairman.

Mr. ARENS. Do you think that this statement of yours which I just read is commendatory of the Government of the United States?

Mr. STRAUS. I don't intend to, as the chairman suggested, have a dissertation on philosophy and economics at this session.

Mr. ARENS. Did you also issue a statement while you were in Poland with this delegation in which you were commending the People's Republic of Poland?

Mr. STRAUS. Now, Mr. Arens, you are going to every country on the face of Europe, and you are getting the same answer.

Mr. ARENS. I did not go to any of those countries; you went to them. But you won't tell us about them.

We have still another one I want to ask you about, the slave-labor camps in Soviet Russia.

Did you issue a statement when you were there pooch-pooching the idea of any slave-labor camps in Soviet Russia?

Mr. STRAUS. Same answer, Mr. Arens.

Mr. WILLIS. You mean by that you refuse to answer on the grounds previously stated?

Mr. STRAUS. Yes. I was trying to shorten it to save the time.

Do you want me to go into it at length? Or is what I said sufficiently acceptable?

Mr. DOYLE. I think it is acceptable.

Mr. STRAUS. Thank you.

Mr. SCHERER. I think the witness has to say he refuses to answer for the same reasons because it is not an answer; it is a refusal to answer.

Mr. WILLIS. When you say "Same answer," you have had a lot of answers in the record. Just pinpoint it: Do you refuse to answer on the grounds previously stated?

Because we might accept some of your answers, but might not accept some of your others. You might be subjecting yourself to proceedings after consideration of the record.

Mr. STRAUS. Thank you.

Mr. ARENS. Let me read another part of this article:

This is the fifth installment of an eyewitness report by an 11-member American trade union delegation which made a trip through both West and East Europe.

Also let me read you some of this and see if you concur in it.

Unionists' Report On Trip to Europe: During our tour we did not see one worker who could be characterized as a "slave laborer"—

That is in quotes.

Workers spontaneously stopped at their machines when they heard that our delegation was visiting their plant, and freely answered our questions. Likewise, they asked us questions about our life in the States * * * This question of slave labor became as much a joke to the American delegates as it is to the Soviet people. So much so, that on several occasions when we saw workers relaxing or sleeping in the sun, we shouted "Wake up, slave laborer—you're not allowed to do that!" Or we kiddingly remarked, "That poor fellow must have been worked to death."

Did you, Mr. Straus, authorize the issuance of that statement?

Mr. STRAUS. May I see it?

(Document handed to the witness.)

Mr. WILLIS. Where was that issued? In New York City?

Mr. ARENS. According to the article, it was after they had just returned to the United States.

Mr. DOYLE. What date?

Mr. ARENS. August of 1951.

Mr. WILLIS. Was it propaganda which they spread here in our country after their return?

Mr. ARENS. That is correct.

While you are under oath just deny it.

Mr. STRAUS. Mr. Arens, I refuse to answer this question on the grounds previously stated, or any question about this trip that you are referring to, no matter how many times you ask the question in varied form.

Mr. DOYLE. Mr. Counsel, what paper did that appear in?

Mr. ARENS. This appeared in the Daily Worker.

Mr. DOYLE. When?

Mr. ARENS. August 17, 1951, New York City.

Mr. DOYLE. What is the Daily Worker according to your information?

Mr. ARENS. That is the Communist publication which reported what happened on the trip of the delegation of which Mr. Straus was chairman.

Here is still another item on the series of statements describing that trip.

Everybody Has a Job and Union Protection in the U. S. S. R.

This headline is put out by a man who is with a union here, Leon Straus, vice president, International Fur & Leather Workers Union, telling about how everyone has a job in the Soviet Union and how their unions are amply protected by the Government.

Did you, while an official in an American labor union, authorize that statement commending the unions in Soviet Union?

Mr. STRAUS. Mr. Arens, you are just wasting time. I already told you.

Mr. ARENS. That is a matter for the committee to determine.

Mr. STRAUS. I refuse to answer the question on the grounds previously stated concerning this entire area.

Mr. DOYLE. May I ask counsel in what paper that appeared.

Mr. ARENS. The Communist Daily Worker, New York.

After you returned from Europe did you do some speechmaking respecting the trip?

Mr. STRAUS. I have been making speeches for 20 years.

Mr. ARENS. Look at this and tell us whether or not you made the speech referred to in the advertisement which I now lay before you.

(Document handed to the witness.)

(The witness confers with his counsel.)

Mr. STRAUS. You are asking a question about the trip that I just referred to, and I refuse to answer.

Mr. ARENS. The trip is over now. We are talking about a speech you made in the United States.

Mr. STRAUS. You have reference to the trip in your question, Mr. Arens, and I already informed you that I refuse to answer any ques-

tions about the trip no matter how they are phrased, on the grounds previously stated.

Mr. ARENS. This advertisement lists the chairman of the evening session of this public meeting to be held at Manhattan Center, November 28, as Leon Straus, executive secretary, Joint Board, Fur Dressers' and Dyers' Union.

Is that you?

Mr. STRAUS. Are you asking me if Leon Straus is me or if that is me?

Mr. ARENS. I am asking you if you are the same person mentioned in the advertisement as chairman of that evening session on November 28, 1951.

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. What was your job on November 28, 1951?

Mr. STRAUS. Representative of the union.

Mr. ARENS. Were you executive secretary of the Joint Board, Fur Dressers' and Dyers' Union, on November 28, 1951?

Mr. STRAUS. Yes, sir; I was.

(The witness confers with his counsel.)

Mr. ARENS. Were you a member of the American Committee To Survey Labor Conditions in Europe in 1952?

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. In 1952 did you make another trip to Europe under the auspices of your union?

(The witness confers with his counsel.)

Mr. STRAUS. I refuse—

Mr. CAMMER. Do you want to withdraw that question?

Mr. ARENS. No.

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. Were you chairman of the meeting of the American Committee To Survey Labor Conditions in Europe, held in the Midland Hotel in Chicago on May 4, 1952?

Mr. STRAUS. You are dealing with the same general area, Mr. Arens, and I refuse to answer the question on the grounds previously stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you were chairman of the meeting of the American Committee To Survey Labor Conditions in Europe held at the Midland Hotel in Chicago on May 4, 1952.

Mr. STRAUS. I have already answered that question, Mr. Arens.

Mr. DOYLE. May I ask, Counsel, what is the name of the person who is indicated as chairman?

Mr. ARENS. Leon Straus.

Do you know Charles Velson?

Mr. STRAUS. Yes; I know Charles Velson.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. STRAUS. He was an officer of a union and a delegate to the New York City CIO Council when I was similarly such a delegate. I met him at meetings of the CIO.

Mr. ARENS. Have you met with him in other meetings?

Mr. STRAUS. I don't recall. I haven't seen the gentleman in years.

Mr. ARENS. Do you know whether or not he is a member of the Communist Party?

Mr. STRAUS. How would I know?

Mr. ARENS. Have you ever met in a closed Communist Party meeting with Charles Velson?

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. In 1951 were you part of a campaign to pressure the State Department to get a passport for Paul Robeson?

Mr. STRAUS. Would you repeat that question, please?

Mr. ARENS. In 1951 did you organize, and were you the leader of a campaign to pressure the State Department to issue a passport for Paul Robeson?

(The witness confers with his counsel.)

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. I would like to read you a letter. I lay before you a photostatic copy of a letter on the letterhead of the Fur Dressers', and Dyers' Unions, signed by Leon Straus, executive secretary, addressed to the Secretary of State, with reference to the revoking of the passport of Paul Robeson, in which it is stated by the person who signed this letter:

Your arbitrary action not only violates Mr. Robeson's constitutional liberties and his right to continue his artistic career but it also deprives millions of people all over the world of the right to hear both his peerless singing voice and his words of peace and freedom.

And other observations of that kind.

I lay it before you and ask if you sent a copy of that letter of protest, the photostatic copy of which I lay before you at this time.

(Document handed to the witness.)

Mr. STRAUS. Mr. Arens, I refuse to answer the question on the grounds previously stated, and on the additional grounds that Mr. Counsel is now attacking my right to petition the State Department concerning my views of freedom of travel.

Mr. ARENS. I am not attacking your right. You can petition every day.

I am asking you whether or not you signed the protest, whether or not you signed that letter.

Mr. STRAUS. Is there anything wrong in petitioning the State Department?

Mr. ARENS. If there is not, and if you do not feel you have done anything wrong on this, just tell us whether you did sign it.

Mr. STRAUS. Are you charging me with anything wrong?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. You are directed to answer the question.

Mr. STRAUS. I have already answered the question, Mr. Chairman, and repeat that I refuse to answer the question on the grounds previously stated.

Mr. ARENS. As of November 20, 1951, were you in a little difficulty with the Passport Office of the Department of State?

Mr. STRAUS. I never was in any difficulty with the State Department concerning passports.

Mr. ARENS. Didn't you travel to Europe in violation of the oath that you took when you had your passport renewed?

Mr. STRAUS. I never traveled anywhere in violation of any oath that I took.

Mr. ARENS. Did the 1951 passport application for renewal make a truthful representation of where you were going?

(Document handed to the witness.)

Mr. CAMMER. I don't think he ought to be allowed to argue with the witness, Mr. Chairman.

Mr. WILLIS. It is a question.

Mr. ARENS. It is not argument.

Mr. DOYLE. It is a question of fact, whether or not—

Mr. CAMMER. He uses a word "oath" which is a promissory word. When you take an oath to support the Constitution—

Mr. DOYLE. Counsel, I am sorry our rules don't permit counsel to argue questions. You are certainly always free to advise your client as to his constitutional position.

(The witness confers with his counsel.)

Mr. STRAUS. I differ with Mr. Arens as to what the meaning of an oath is.

This application was completely truthful when I signed this application.

Mr. SCHERER. You say it was completely truthful, that you had no intention of going to these other countries.

Mr. STRAUS. I have already explained, Mr. Scherer—

Mr. ARENS. He will not answer that.

Mr. STRAUS. —that my intentions I believe to be a high privileged right with priority to myself alone as guaranteed by the Constitution.

Mr. SCHERER. They certainly are not, sir.

You said that at the time you went this was a truthful statement. I am asking you, if it is not a fact that at the time you signed that you had no intention of only going to France for a vacation and your health, and that your sole intention was to go to these Communist Party caucuses and meetings behind the Iron Curtain. I don't think anybody with any grain of common sense could draw any other conclusion. You obtained a passport by committing fraud and perjury. There is no question about it.

You said you have done nothing wrong in your whole life. You obtained a passport by fraud. That is what you did.

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

(The witness confers with his counsel.)

Mr. STRAUS. And if I did anything wrong, Mr. Scherer, I want to be confronted by it in a court as our American tradition in law says, be confronted with witnesses to that effect, charged, tried, where I have an opportunity to defend myself, and I am ready to answer for anything you or anyone else thinks I committed as a crime.

Mr. SCHERER. Maybe we will give you that opportunity.

Mr. ARENS. We are going to give you that opportunity now.

I have here the Young Communist League Yearbook for 1937 published by the Young Communist League of America, listing the names of persons sending greetings. One of the names is Leon Straus.

While you are under oath deny that document is valid.

Mr. STRAUS. I have already answered, Mr. Arens, that I refuse to answer this general area of questioning on the grounds previously stated.

Mr. DOYLE. Do you refuse to answer that specific question on the grounds previously stated?

Mr. STRAUS. Yes, sir.

Mr. ARENS. I lay before you the Young Communist Review of March 1937, containing an article entitled "The Fur Floor Boys" by Leon Straus:

"The League in a Youth Union—" published in the Young Communist Review, March 1937.

Deny, if you will, please, under oath, that you wrote that article.

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. In this article I just laid before you by Leon Straus we find the following:

With the progression of actual deeds, we will convince the party of the need of working with us and helping us. It is also true that there would never be a Fur Floor Boys' Union were it not for the aid, the leadership, the guidance of the Communist Party and its leader in the fur industry, Comrade Gold. They were able, on the basis of our carrying out our tasks, to give us this aid and make our union shine out as an example of organization of youth. We received their help because we did not in the ordinary everyday way, that the league does, ask for help, because we did not beg and plead, because we did not appeal, rather because we went out and convinced our Communist Party members with deeds. We have in our industry the finest of relations to be desired between the Communist Party and the Young Communist League. And we would like to point to the Communist Party of the fur industry and to Ben Gold, as one of the best examples of C. P. work among the youth.

Did you write that in the Young Communist Review in March of 1937?

While you are under oath deny it if it is not true.

Mr. STRAUS. Mr. Arens, are you asking me to remember—

Mr. ARENS. I am asking you to give us a truthful answer.

Mr. STRAUS. To remember 20 years ago, about something that I said or wrote?

Mr. WILLIS. We tried you as late as 1951 and 1952 and 1953. So don't use the time element as being important. Admit it or deny it, or say that you don't remember.

Mr. ARENS. If you remember it tell us; if you don't remember it tell us.

Do you remember writing this article?

Mr. STRAUS. I refuse to answer on the grounds previously stated. (The witness confers with his counsel.)

Mr. ARENS. To your knowledge was Ben Gold a member of the Communist Party in 1937?

(The witness confers with his counsel.)

Mr. STRAUS. The same grounds.

Mr. ARENS. You, back in 1955, signed the affidavit of a non-Communist union officer, didn't you?

Mr. WILLIS. That is not long ago. Answer that one. That is last year.

(The witness confers with his counsel.)

Mr. STRAUS. Yes; I signed a non-Communist affidavit.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. STRAUS. I am not now a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. STRAUS. The same grounds as I previously stated.

Mr. ARENS. Were you a member of the Communist Party yesterday?

Mr. STRAUS. No; I was not a member.

But if you are going to go back, you are going to have to use a lot of days.

Mr. ARENS. We are going to stay right with you until we find out when you did absolve the technical relationship with the Communist Party.

Were you a member of the Communist Party yesterday?

Mr. STRAUS. Can I save a little time, Mr. Arens and gentlemen?

Mr. ARENS. Yes, sir; you can save time, and we would appreciate it.

Mr. STRAUS. If you will give me 2 minutes to answer this general area, we won't have to go back each day and year for each year.

Mr. ARENS. All right, sir.

Mr. STRAUS. I have stated just a moment ago—and restate the fact—that I am not now a member of the Communist Party.

I may not have answered that question a while ago, but I prefer to answer it now, because a year and a half ago, by my own voluntary consent, as a result of my own voluntary desire, in conjunction with my union, we merged our organization with another organization—American trade union. At that time we voluntarily decided in that merger that no member of the Communist Party would be an officer of the organization or an employee of the organization.

And in voluntarily carrying out that desire I signed a non-Communist affidavit.

I am, therefore, quite willing to make this—which is part of the public record already—make this statement to the committee in clarifying this question. But I refuse to deal with the other aspect of the question on the same grounds previously stated.

Mr. ARENS. Did you resign technical membership in the Communist Party solely and exclusively for the purpose of complying with the arrangements which were made by the higher echelon of your organization so that the merger could be effected?

Mr. STRAUS. I never told you I was a member.

Mr. ARENS. Were you a member of the Communist Party a year and a half ago?

Mr. STRAUS. When I signed the affidavit I was not a member of the Communist Party.

Mr. ARENS. Were you a member of the Communist Party 1 day prior to the time that you signed the affidavit?

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. Were you under Communist discipline the day you signed the affidavit?

Mr. STRAUS. Now, Mr. Arens, I asked the committee for a few minutes and I kept it to a few minutes in order not to waste its time, and you are just going to be wasting time if you are going to ask the same question in a million different ways because you are going to get the same answer.

Mr. ARENS. We regard it as time well spent.

Mr. STRAUS. And you are going to waste all of our time.

Mr. ARENS. Tell us, on the day that you signed the non-Communist affidavit were you under Communist Party discipline?

Mr. STRAUS. I was not.

Mr. ARENS. Were you under Communist Party discipline the day before you signed the non-Communist affidavit?

Mr. STRAUS. I have already answered the question.

Mr. ARENS. I lay before you a photostatic copy of the Communist Daily Worker of April 9, 1946, entitled "Attention: 300 Communist Party Clubs in Special Meetings This Week."

Among the speakers for New York County, headed by John Williamson, and listing others, is included one, Leon Straus.

Does that refresh your recollection as to any event that may have occurred at that time in your life?

(Document handed to the witness.)

Mr. STRAUS. The same answer, Mr. Chairman.

Mr. ARENS. Have you ever served in the United States Army?

Mr. STRAUS. Yes, I have.

Mr. ARENS. Did you have a commission in the United States Army?

Mr. STRAUS. Yes, I did.

Mr. ARENS. What commission did you have in the United States Army?

Mr. STRAUS. As a lieutenant.

Mr. ARENS. Were you relieved of that commission by the United States Army?

(The witness confers with his counsel.)

Mr. STRAUS. Yes, I was.

Mr. ARENS. Why were you relieved of your commission in the United States Army?

Mr. STRAUS. I truthfully don't know. I was given no opportunity of having any charges; I was given no hearing. I applied to the War Department for a hearing and received no answer.

Mr. ARENS. Were you a member of the Communist Party when you were in the United States Army?

Mr. STRAUS. My attorney applied to the Army for an answer concerning any charges or any trial, and I do not know why I was relieved.

Mr. DOYLE. May I ask the approximate date of that, Counsel?

Mr. ARENS. Was it in January of 1950?

Mr. STRAUS. Approximately at that time. I am not sure exactly.

Mr. ARENS. Were you relieved of your commission in the United States Army under honorable conditions, or under other than honorable conditions?

Mr. STRAUS. Now, Mr. Arens, I served in the United States Army—

Mr. ARENS. Could you just answer that question?

Were you relieved of your commission in the United States Army under honorable conditions, or under other than honorable conditions?

Answer that question and then tell us about it. Were you relieved of your commission in the United States Army under honorable conditions, or under other than honorable conditions?

Mr. STRAUS. Now, I tried to start to answer that question three times, Mr. Arens. Will you permit me?

Mr. ARENS. All right, sir.

Mr. STRAUS. I served my country in the United States Army for 3 years. I volunteered to go into the Army. I volunteered to go overseas. I volunteered for combat. I received a discharge from

the Army in 1945, an honorable discharge, discharging me as a private in order to receive a commission on the battlefields of France during the course of the war.

After the war in France and Germany was over, I volunteered to continue fighting and was sent to Japan. On the way to Japan that war was over. I was discharged from the United States Army as an officer with an honorable discharge, and with, as a matter of fact, some 10 letters of commendation from some of the most distinguished generals in our Army for my service to my country.

Mr. ARENS. To your knowledge, did the generals who gave you letters of commendation have information regarding your connection with the Communist conspiracy?

Mr. STRAUS. They knew what I did to fight for my country when we were under attack and at war with enemies.

Mr. ARENS. While you were in a United States Army uniform, were you a member of the Communist conspiracy?

Mr. STRAUS. When I was in the United States uniform during the war, my unit commander, Captain Benjamin——

Mr. ARENS. Will you answer the question?

I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

Mr. STRAUS. That my loyalty to the United States of America——

Mr. DOYLE. You are directed to answer his last question, which was whether or not you were a member of the Communist Party during your Army service.

Mr. ARENS. He is telling all about his patriotism. I am asking him whether or not, while he was wearing the uniform of his country, he was a member of the Communist conspiracy.

Mr. STRAUS. You promised me an opportunity to continue.

Mr. ARENS. Just answer the question.

Mr. STRAUS. Are you refusing to permit me to answer that question?

Mr. ARENS. I suggest the witness be ordered and directed to answer that question or dodge behind the fifth amendment.

Mr. DOYLE. Answer that question. It is a direct question.

Mr. STRAUS. I think that the counsel is attempting to dodge my war record and my Army service with scurrilous attacks on my patriotism, and I won't put up with it.

Mr. ARENS. Then stand up like a red-blooded American and deny you have ever been a member of the Communist conspiracy.

I lay before you a photograph of the speakers' platform of a Communist May Day parade held in New York City. I ask you if that is you in your United States Army uniform addressing the Communist May Day parade in 1950? Would you just tell this committee if that is you in the United States Army uniform addressing the Communist May Day parade in New York City in 1950?

Tell the committee if that is you behind the microphone.

Mr. DOYLE. What is your answer to that, Mr. Straus?

Mr. ARENS. Is that you in this photograph in the Army uniform of which you are so proud?

Mr. STRAUS. Mr. Arens, I would appreciate it if you wouldn't shout at me.

Mr. ARENS. I will ask it softly.

Is that you in the Army uniform addressing the Communist May Day parade in 1950? Is that you behind the microphone?

Mr. STRAUS. Your drama is unwarranted, too.

I refuse to answer the question on the grounds previously stated.

Mr. DOYLE. What, Mr. Arens, is the significance of the May Day parade?

Mr. ARENS. The May Day parade in 1950, as it is in every year, is the annual principal Communist open celebration, and this photograph shows Leon Straus in the United States Army uniform standing with a number of other Communists, addressing the May Day parade.

Mr. DOYLE. In New York City?

Mr. ARENS. In New York City; yes, sir.

Now, I would like to read you some other observations and see if you can concur with these in view of your great patriotism.

Mr. STRAUS. Are you attempting—

Mr. ARENS. Here is the Daily Worker of March 11, 1953, and this is entitled "Stalin's Peace Role Cited by Leon Straus."

STALIN'S PEACE ROLE CITED BY LEON STRAUS

The death of the Premier of the Soviet Union, Joseph Stalin, is a sad blow to Americans who prefer understanding, friendship, and peace with the peoples of the Soviet Union.

I speak personally from my experience because I recently visited the Soviet Union. I met thousands of Russians in Moscow, Leningrad, Stalingrad, and other cities. Therefore peace-loving Americans who know that there must be understanding between our people and the Russian people in order to bridge the differences that have set us apart and divided the world, will be saddened by the death of this world-famous man, whom Trygve Lie, Secretary General of the United Nations, called one of the outstanding statesman of our times.

In the Soviet Union, there is a city called Yalta that I visited. All the people there proudly pointed out the house where the conference between Josef Stalin and our great President Franklin D. Roosevelt took place.

On the occasion of Stalin's death, I am reminded of that conference in Yalta, and the fact that these two great men were joined in friendship in fighting a war in behalf of both of our peoples. In common with all Jewish people throughout the world, I can never forget that it was the Soviet army under Stalin's leadership that saved the lives of 2 million Jews."

Did you write that? Did you issue that statement on the death of Joseph Stalin?

Mr. STRAUS. Mr. Arens, I have already told you that I refuse to answer that general area of questioning on the grounds previously stated.

Mr. DOYLE. Just a minute.

Do you answer that specific question on the grounds previously stated?

Mr. STRAUS. Yes, sir; I do.

Mr. ARENS. I lay before you a photostatic copy of a document. It is an invitation to appear at a world peace memorial meeting to Premier Joseph V. Stalin in dedication to world peace, held under the auspices of the National Council of American-Soviet Friendship on March 26, 1953.

A speaker here, in addition to Paul Robeson and Albert Kahn, Rockwell Kent, is listed as Mr. Leon Straus. Tell this committee whether you were one of the speakers memorializing Joseph Stalin in 1953?

Mr. STRAUS. I wish you would stop shouting at me, Mr. Arens.

Mr. ARENS. I think the record should reflect that I have not been shouting.

Mr. DOYLE. I was going to say I wish to contradict the witness' statement because the counsel is not shouting.

Mr. STRAUS. Mr. Chairman, you are at the top of the podium 4 or 5 yards away and he is standing right at my ear shouting in my ear.

Mr. ARENS. I will say it softly. Perhaps that may help you on your recollection or your composure.

Are you the Leon Straus referred to who was speaking at that memorial meeting for Joseph Stalin in New York City a few years ago?

Mr. STRAUS. I wish you would be as composed as I am, Mr. Arens. I have already answered the question.

Mr. ARENS. Then answer it again.

Are you the Leon Straus who was one of the leaders in that meeting just a few years ago in New York City, the memorial meeting to the late Premier Joseph V. Stalin?

Mr. DOYLE. Does it show the date of that meeting?

Mr. ARENS. March 26, 1953.

Mr. SCHERER. This becomes a little ironical, does it not, in view of the recent attacks?

Mr. ARENS. I was going to ask him if he has changed his mind since March 26, 1953.

Mr. STRAUS. I thought, Mr. Scherer, you asked me not to give dissertations earlier.

Mr. SCHERER. I think I have a right to make a comment.

Mr. STRAUS. Oh, sure; the same right goes for me.

Mr. SCHERER. We would let you talk all afternoon if you would answer any of the questions, but you have invoked the fifth amendment and refused to answer any of the significant questions asked you today. If you had answered those questions, we would let you talk all afternoon, but you have not answered questions.

Mr. ARENS. Have you attended any memorial meetings for Stalin since the new line came down from the Kremlin?

Mr. STRAUS. Same answer.

Mr. ARENS. Have you been active in a nationwide campaign protesting the McCarran Act edict requiring the International Workers Order to register as a Communist front?

Mr. STRAUS. I am against the McCarran Act, if that is what you are asking.

Mr. ARENS. Tell us what you have done to further your position in opposition to the Internal Security Act, which is designed to put a crimp in the Communists.

What have you done in furtherance of your position of being against this act?

Mr. STRAUS. Some very distinguished members of—

Mr. ARENS. Just tell us what you have done. Don't hide behind somebody else. Tell the committee what you have done.

Mr. STRAUS. I have joined in company with some very distinguished Americans, including Senators—

Mr. ARENS. According to this article, you joined with William L. Patterson.

Mr. STRAUS. Who said that the McCarran Act was designed to harm the possibility of freedom of movement and was unconstitutional, and I petitioned Congress, as I think I have a right to do, for its repeal. I spoke at meetings, similarly, for its repeal.

Mr. ARENS. Is William L. Patterson one of these distinguished Americans you spoke of who worked with you?

(The witness conferred with his counsel.)

Mr. STRAUS. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. According to the Daily Worker of Monday, February 15, 1954, in New York City, prominent speakers, including William L. Patterson, executive secretary of the Civil Rights Congress, Leon Straus, fur workers' leader, and other prominent figures participated in a rally against the enforcement of the McCarran Act.

I put it to you as a fact, and ask you to affirm or deny the fact, that you were chairman of the New York section of the American Youth for Democracy?

Mr. STRAUS. Same answer, Mr. Chairman.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that as early as 1946 you were a delegate to the New York State convention of the Communist Party in New York City?

Mr. STRAUS. Same answer, Mr. Chairman.

Mr. ARENS. I put it to you as a fact, and ask you while you are under oath to deny it, if it is not true, that in 1954 you were a member of the fur section of the Communist Party and of the trade union commission of the Communist Party itself?

Mr. STRAUS. Same answer, Mr. Arens.

Mr. ARENS. Do you have information respecting a concerted action by members of the Communist Party whereby they would resign technical membership in the Communist Party and then penetrate the non-Communist labor organizations?

I only ask you if you have information on that, and if you have not, deny it under oath.

Mr. STRAUS. Same answer.

Mr. ARENS. I respectfully suggest that we conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Willis?

Mr. CRAMER. He wants to make an answer, Mr. Chairman.

Mr. STRAUS. I would like to hear that last question again. I think I misunderstood it so I would like to correct my answer.

Mr. DOYLE. Would you read the last question please?

(The record was read by the reporter.)

Mr. STRAUS. My answer to that question that has now been clarified for me is that I have no such information.

Mr. ARENS. Do you have information respecting discussions by Communists respecting the proposed merger between the meat cutters and the fur workers?

(The witness confers with his counsel.)

Mr. STRAUS. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. That will conclude the staff interrogation, if you please, Mr. Chairman.

Mr. DOYLE. Mr. Willis?

Mr. WILLIS. I have no questions.

Mr. SCHERER. I have no questions.

Mr. DOYLE. I just want to ask a couple of questions.

I think I noted your exact language as you testified. You said at the time of the merger of your fur union with the American trade union:

We voluntarily decided that no officer would be a member of the Communist Party.

Do you remember stating that?

Mr. STRAUS. Yes, sir.

Mr. DOYLE. Under Public Law 601, one of our very heavy responsibilities, and very often unpleasant responsibility, is to try to find out the steps taken by the Communist Party or by Communist Party members to subversively infiltrate any group in the United States, whether it emanates from Moscow or within our country. Because we are mindful of our responsibility, this committee is seeking information as to how the Communist Party has operated in some labor unions in this country.

At the time that merger was made, you, as a labor union leader and officer, participated in reasoning out why you should not have a Communist as an officer in your merged union. Can you help this congressional committee to understand why your two labor unions decided they would not allow any Communist to be an officer in the merged union?

I ask you that question in all frankness and sincerity. We are trying to find out for legislative purposes how the Communists operate in any segment of American labor, industry, or elsewhere.

Why did you adopt the rule or bylaw, if you did, prohibiting any officer from being a member of the Communist Party in the United States? Why did you make that prohibition?

Mr. STRAUS. Congressman Doyle—

Mr. DOYLE. You stated it was a matter of public record in your testimony. We do not have that public record at this time, but tell us why did you do that?

Mr. STRAUS. Congressman Doyle, I was not an executive officer of my union at the time of the merger. I was not a member of the negotiating committee that negotiated the merger, and I am not in a position to discuss that question.

Mr. DOYLE. You stated it was a matter of public record. I remember you said that.

Mr. STRAUS. I stated it was a matter of public record that I am not a member of the Communist Party.

Mr. DOYLE. Were you a member of the union at that time?

Mr. STRAUS. Yes, sir.

Mr. DOYLE. You participated in the deliberations?

Mr. STRAUS. No, sir.

Mr. DOYLE. Not even as a union member?

Mr. STRAUS. I was not a member of the negotiating committee and I didn't participate in the negotiations, and I don't know the answer to the question that you are asking.

Mr. DOYLE. But you were a member of one of the unions, even though you were not on the negotiating committee. The union had to ratify the report; did it not?

Mr. STRAUS. Certainly, Congressman Doyle, but you know there are unions. They have thousands and tens of thousands of members and you get a report and you don't get the full context of all the discussion. This thing went on for weeks and months and, well, almost a year or so, and you get a brief report, and I got one on the general characteristics of what the settlement was, and I approved of it; that's all.

Mr. DOYLE. One further question in that area.

You are now under oath when you state you are not now a member of the Communist Party. I take it that you were not a member at the time that you signed the Taft-Hartley affidavit, signing in good faith. I mean that you signed in good faith. I take that for granted.

Mr. STRAUS. Thank you.

Mr. DOYLE. As one American to another.

Mr. STRAUS. Thank you.

Mr. DOYLE. You know the facts better than I do. I am asking you to help this committee of your Congress to understand from your knowledge why the Communist Party, when those two labor unions merged, would not permit a member of the party to be an officer of the union.

That is not asking you to tell me any secret of the labor proceedings. It is asking you only for your opinion. I am asking you to be frank with us and tell us in your judgment as an individual, not as an officer of the union, what made it unwise, so far as the Communist Party was concerned, to have a Communist as an officer in the merged union.

Mr. STRAUS. Congressman Doyle, you asked me to be frank with this committee, and I am being completely frank and truthful with you, and you have asked me about not revealing secret confidences.

There were no secret confidences. These were open, public negotiations, but I merely said that committees participated in it. I was not a member and I have no knowledge of it.

Mr. DOYLE. But I am asking you as an individual, as a member of one of those unions at the time, what in your judgment, entered into your decision, as an individual, to approve or go along with the negotiating committee's report that no Communist should be an officer of the union?

I am not asking you to tell about the secret conferences. You were a union member at the time. What was there at that time about the Communist Party in the United States that you could not stomach as an officer of your union? Can't you help your Congress?

(The witness confers with his counsel.)

Mr. STRAUS. Well, if you are asking me for an opinion about that, I would like to give it, but I want to state again that I have no direct knowledge. Otherwise, I would be glad to give it to you.

Mr. DOYLE. I am only asking you for your opinion.

Mr. STRAUS. There were, Congressman Doyle, some things that are just accomplishments of the way of life that exist at this time. There is the Taft-Hartley law in our country that has reference to this matter. There is a clause in the constitution of the American Federation of Labor that has reference to this matter, and I assume that these and other considerations went into the reasoning for that decision.

Mr. DOYLE. Were those the only reasons, in your judgment as an individual member of the union?

Mr. STRAUS. I have tried to give you my thinking on it.

I say again I wasn't present at the negotiating session. I merely got a report of the terms of the merger. I thought it was in the interest of the members of my union, and I was for it.

Mr. DOYLE. One more question, Counsel, please.

You frankly stated when you went to Europe on your first passport you went at the expense of the union. When you went back with your renewed passport, did you go at the expense of the union, 1952-53?

Mr. STRAUS. I have already stated that I refuse to answer the question of this general area, the so-called trip, and I refuse to answer that question on the same grounds.

Mr. DOYLE. In other words, you did not plead the fifth amendment on your first passport but on your second passport; when I asked you if your union paid your expenses, you plead the fifth amendment?

Mr. STRAUS. Congressman, the record speaks for itself.

Mr. DOYLE. Certainly it does. You are not frank with me and I am disappointed. That is my conclusion, Witness.

I am sorry, but you are entitled to know what my conclusion is. You are not frank with us. You are not willing to help us in a field where you could do so to protect our Government.

Mr. ARENS. We have another witness, Mr. Chairman.

Miss Stephanie Horvath, please come forward. Remain standing while the chairman administers the oath to you, please.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss HORVATH. I do.

Mr. ARENS. Please identify yourself by name, residence and occupation.

TESTIMONY OF STEPHANIE HORVATH

Miss HORVATH. Stephanie Horvath.

Mr. ARENS. Would you spell your name so that the reporter has it accurately, please?

Miss HORVATH. H-o-r-v-a-t-h, Stephanie.

Mr. ARENS. And your residence, please?

Miss HORVATH. New York City.

Mr. ARENS. And your occupation?

Miss HORVATH. Detective with the New York City Police Department.

Mr. ARENS. Miss Horvath, how long have you occupied that position?

Miss HORVATH. Since 1942.

Mr. ARENS. During the course of your career, have you had occasion to become a member of the Communist Party?

Miss HORVATH. Yes, I was.

Mr. ARENS. Was your membership in the Communist Party solely at the instigation of your Government for the purpose of procuring information?

Miss HORVATH. I was directed by the New York City Police Department to join the Communist Party.

Mr. ARENS. You were never ideologically identified with the party?

Miss HORVATH. Never.

Mr. ARENS. Your service in the Communist Party was solely and exclusively for the purpose of procuring information so that you could serve your Government; is that correct?

Miss HORVATH. Yes, sir.

Mr. ARENS. Miss Horvath, in the course of your membership in the Communist Party, did you have access to the records of certain of the sections of the Communist Party?

Miss HORVATH. Yes; I did.

Mr. ARENS. Did you in the course of your membership have access to records respecting transfers to the Yorkville section of the Communist Party?

Miss HORVATH. Yes, I did.

Mr. ARENS. Did you in the course of your access to those records of transfers of Communists to the Yorkville section of the Communist Party run onto the name of Rabbi Abraham Bick?

Miss HORVATH. Yes; Rabbi Abraham J. Bick.

Mr. ARENS. Please tell us what you saw.

Miss HORVATH. It was in 1947. I was assisting the membership and financial director of the Yorkville section of the Communist Party in membership work, and I effected the transfer of Rabbi Bick into the Yorkville section of the Communist Party at that time.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman, except to thank her for her consideration to the committee in coming from New York City to add this important information to our records.

Could you give us your best recollection as to the spelling of the name?

Miss HORVATH. B-i-c-k; yes.

I also have his Communist Party name if you are interested in it.

Mr. ARENS. Let us have his Communist Party name.

Miss HORVATH. Alan McGill, A-l-a-n M-c-G-i-l-l.

Mr. ARENS. For your information I will tell you for this record that the Rabbi Bick was here today. We interrogated him and also asked him about his Communist Party name. Somehow or other, we didn't get quite a satisfactory answer.

Does the committee have any questions?

Mr. DOYLE. No.

(Representative Gordon H. Scherer left the hearing room at this point.)

Mr. ARENS. We thank you for your testimony and we compliment you on your service to your country.

Miss HORVATH. Thank you.

Mr. ARENS. We have no further witnesses today, Mr. Chairman.

Mr. DOYLE. The committee will stand adjourned.

(Whereupon, at 4 p. m., June 14, 1956, the subcommittee recessed, subject to the call of the Chair, there being present Representatives Doyle and Willis.)

INVESTIGATION OF THE UNAUTHORIZED USE OF UNITED STATES PASSPORTS—PART 4

THURSDAY, JUNE 21, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC SESSION

The committee met at 10 a. m., pursuant to recess, in the caucus room of the House Office Building, Hon. Francis E. Walter (chairman of the committee) presiding.

Present: Representatives Walter, Willis, Kearney, and Scherer.

Present also: Richard Arens, staff director.

The CHAIRMAN. The committee will be in order.

Let the record show that the chairman has appointed a subcommittee consisting of Representatives Willis, Scherer, Kearney, and myself.

I might say that the acoustics in this room are very bad and for that reason we will have to insist that there be no audible conversation.

Call your witness.

Mr. ARENS. Mr. Arthur Miller?

Will you kindly remain standing while the chairman administers the oath?

The CHAIRMAN. Raise your right hand, please.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILLER. I do.

TESTIMONY OF ARTHUR MILLER, ACCOMPANIED BY COUNSEL, JOSEPH L. RAUH, JR.

Mr. ARENS. Please identify yourself, sir, by name, residence, and occupation.

Mr. MILLER. My name is Arthur Miller. I live at Roxbury, Conn. I am a playwright.

Mr. ARENS. You are appearing today, Mr. Miller, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MILLER. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. MILLER. That is correct.

Mr. ARENS. Counsel, will you identify yourself?

Mr. RAUH. My name is Joseph L. Rauh, R-a-u-h, Jr.

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Mr. ARENS. Mr. Miller, please tell the committee where and when you were born?

Mr. MILLER. I was born on October 17, 1915, in New York City.

Mr. ARENS. And give us a word, please, sir, about your formal education.

Mr. MILLER. I went to public schools in New York City, to James Madison High School, Abraham Lincoln High School, the University of Michigan. I have a bachelor of arts degree from the University of Michigan, and an honorary doctor of humane letters.

Mr. ARENS. When did you receive those degrees?

Mr. MILLER. I received my bachelor's degree in June of 1938, and the other degree last Saturday.

Mr. ARENS. Was the degree last Saturday an honorary degree?

Mr. MILLER. That is correct.

Mr. ARENS. Kindly tell the committee, Mr. Miller, the dates on which you at any time have made application for a United States passport.

Mr. MILLER. I couldn't be exact about the first application because I don't have the information with me, but to the best of my recollection it would be in 1946, I believe. That is when I received the passport. I am reasonably certain of that.

Mr. ARENS. Your application was in 1946, and did you then, pursuant to the application, receive a passport?

Mr. MILLER. Yes; I did.

Mr. ARENS. Now tell us about any renewal of that particular passport.

Mr. MILLER. That passport was renewed in Rome. I am sorry, I have given the passport to the State Department in my recent applications so I don't have all this information at my fingertips.

The CHAIRMAN. Can you give him those dates, Mr. Arens?

Mr. ARENS. I just want him to show the approximate dates. We will interrogate him at length with reference to each one. I wanted the record to reflect the approximate time.

Mr. MILLER. These are all in the records.

Mr. ARENS. You applied in 1946 for a passport which was issued to you in 1947?

Mr. MILLER. I believe that is the case.

Mr. ARENS. Then it was renewed pursuant to an application filed in Rome shortly thereafter, a couple of years thereafter.

Mr. MILLER. Yes, a couple of years thereafter.

Mr. ARENS. When was your next passport application, do you recall?

Mr. MILLER. The next one was in March of 1954.

Mr. ARENS. Was a passport issued to you pursuant to that application?

Mr. MILLER. No, it was not.

Mr. ARENS. Then did you take any action respecting the application after there was a declination to issue the passport in 1954?

Mr. MILLER. I did not take any action afterward but I did take action; I made an approach to the State Department via my attorney. I think I could explain the circumstances which would make this—

Mr. ARENS. You withdrew your passport application; did you not?

Mr. MILLER. I had no further use for a passport.

Mr. ARENS. Excuse me,

Mr. MILLER. I am sorry. I was just going to say that the passport was required because I was invited to go to England, rather to Brussels, Belgium, by the American-Belgian Society, which is a society in Belgium for the enhancement of relations between the United States and Belgium, and they offered to pay my transportation and my expenses from New York to Belgium for the opening of a stage theater production of one of my plays called *Crucible*.

I got the cable on Monday evening. I returned the cable, saying that I would love to be there. I applied for renewal of my passport on the following day, which was Tuesday. I had to be in Brussels on the following Tuesday, that was the opening of the play, so, consequently, and the Belgian Airlines do not run on Monday, so I would have had to have had a passport no later than Friday. Consequently, it was a big rush, it is an abnormally short time to ask for a passport and the week passed and I heard nothing from the State Department, so I instructed Mr. Garrison, my attorney, to call and find out whether I would have it that afternoon or not.

This was sometime Friday afternoon and Mrs. Shipley, of the State Department, told Mr. Garrison that she could not issue one without further investigation. He then explained that the passport would be useless to me, I had no plans to go to Europe whatsoever except for this free trip which I wanted to take any time after that. That was the end of the conversation with the State Department.

Mr. ARENS. Then do you have pending at the present time a passport application with the Department of State?

Mr. MILLER. Yes, I do. I applied, I guess this is the fifth week now. I applied 4½ weeks ago. I wanted to go to England.

Mr. ARENS. Did you, in 1955, have an employment arrangement contemplated with the Youth Board down in New York City?

Mr. MILLER. I had no employment arrangement with the Youth Board. I had an employment arrangement with an independent motion-picture producing company called Combined Artists, Inc. My contract with Combined Artists, Inc., was to the effect that I engage myself to write the outline and the finished screen play of a motion picture on the subject of juvenile delinquency.

Mr. ARENS. That was to be in connection with the activities or work of the Youth Board, was it not?

Mr. MILLER. The Youth Board was to cooperate with me in the research which would be required for me to write this script.

I ought to say that the city of New York, this was a kind of odd contract which I must confess to this day baffles me slightly. But the nature of the contract was, as I understand it, that the city of New York, in return for the cooperation which it would give me in just permitting me to go along with the Youth Board workers into the streets at night and the slum areas and learn what I could from the children, would get 5 percent of the moneys of this picture, which could be a sizable amount of money if successful, and would not spend 5 cents on the city's part and had no other obligation.

Mr. ARENS. Did you in the course of your negotiations or relationships with the Youth Board in New York City have occasion to appear before the board to express to the board certain actions which you allegedly took in connection with a previous passport application?

Mr. MILLER. Yes.

Mr. ARENS. Did you make that appearance before the Youth Board in November of 1955? Do you recall the approximate time?

Mr. MILLER. It was about that time. I am not very good about dates but it was in that time; yes.

Mr. ARENS. Was there a controversy that arose with respect to whether or not you should be permitted to continue with your labors in connection with this script?

Mr. MILLER. There was an attack launched upon my political fitness to write a screenplay by one newspaper; it began with one newspaper and remained with one newspaper for quite a time.

Mr. ARENS. Now, did you appear before the board and, among other things, say to the board in the course of the discussion substantially what I am now quoting from the minutes of the board? [Reading:]

Finally, some 2 years ago, I issued a statement which was printed in the press in reply to a State Department statement, and in this I categorically denied that I am supporting the Communist cause or contributing to it or was under its discipline or domination.

Furthermore, in my application at about the same time for renewal of my passport, I had signed under the penalties of perjury that statement that I was not a member of any subversive organization. I cite these statements, which of course are still true because they are part of the public record and have been for a long time.

I ask you now, Mr. Miller, if you made the statement before the Youth Board which I have just read to you from the minutes of that board of November 29, 1955?

Mr. MILLER. I believe you read it correctly; yes, sir.

Mr. ARENS. Did you in your passport application deny under oath that you had supported the Communist cause or contributed to it or were under its discipline or domination?

Mr. MILLER. The oath that I referred to was the standard oath that I had taken some years before in my first application for a passport. My understanding of the oath was that I wouldn't have been foolish enough to have tried to mislead the New York City Youth Board by referring to an oath which everybody signs who gets a passport if I had not in this case mistakenly understood the oath years later.

Mr. ARENS. Mr. Miller—I beg your pardon.

Mr. MILLER. Just one thing. I was asked—I am not yet clear whether there were minutes of that meeting at which I was present—I was asked by the chairman of the Youth Board whether this was the standard oath that I was referring to or whether it was some special oath. I said “No,” it was the standard oath.

Now, I would have had to be a singularly obtuse individual to have referred the gentleman to an oath which he could have found by going across the street to the passport bureau if I had any impulse there to mislead him.

I understood at that time—it was my recollection at the time, and I certainly would have signed such an oath had it been there—that that was the common oath taken. Oaths are in newspapers very often now, and that was my understanding at the time.

I am sorry I made an error. It was by no means any attempt to mislead anybody. It was just my faulty memory of what I had signed some years before.

Mr. ARENS. I am a little puzzled. You say you are sorry you made an error. What error?

Mr. MILLER. I mistook that kind of oath for the oath that anyone takes who signs a passport application. I was referring to the oath that I had signed when I had taken out my passport application some year earlier.

Mr. ARENS. Now I lay before you the photostatic copy of a passport application signed by one Arthur Miller in 1947—April 1947—and ask you if that is a true and correct reproduction of the passport application which you signed in 1947 and submitted to the Department of State in an attempt to procure a passport?

Mr. MILLER. Yes; it is.

Mr. ARENS. Is this the document to which you were alluding in your conversation with the Youth Board when you told the Youth Board that you categorically denied to the State Department under oath that you had been supporting the Communist cause or contributing to it or were under its discipline or domination? Is that the document to which you were alluding in your statement before the Youth Board?

Mr. MILLER. I beg your pardon. There seems to be a slight misunderstanding. When my passport—if I might I could clear this up in a moment.

When my passport was denied by the State Department, I issued a statement in reply to a public statement by the State Department in which I denied such affiliations. That was what I was referring to in that particular wording that you are speaking of.

Mr. ARENS. Well, did you sign a statement under oath to the Department of State in the course of your attempt to procure a passport in 1947 in which you denied that you had ever been supporting the Communist cause or contributing to it or were under its discipline or domination?

Mr. MILLER. The only statement I have ever signed in relation to the State Department is the oath here in this passport application.

Mr. ARENS. Now, do you see in that passport application there any oath which in essence is a denial of support of the Communist cause or contribution to it or being under its discipline or domination?

Mr. MILLER. No, I do not. I have just tried to explain, sir, that that was an error on my part in referring to the oath as I did. I would in any case have signed such an oath had it been in the passport application, and I have just stated that I made an error and I made the error in all good faith because I would have been a very stupid man to have referred to a passport application, thinking that no one would have the sense to look at it. I thought that is what I had said.

The CHAIRMAN. Answer the questions, Mr. Miller.

Mr. MILLER. I am sorry.

Mr. ARENS. Am I clear that your present statement is that as of 1947, when you made this passport application to the Department of State, you would have taken an oath that you had never supported the Communist cause or contributed to it or been under its discipline or domination?

Mr. MILLER. I was referring here to 19—the second attempt to get a passport in that document.

Mr. ARENS. Let us get this record clear now.

Would you in 1947 have taken an oath, even though you are now mistaken as to whether or not you did take one—would you have taken an oath in 1947 that you had not contributed to the Communist cause, supported it, or been under its discipline?

Mr. MILLER. I would have taken an oath that I was never under the discipline of the Communist Party, the Communist cause; yes. I would have made a statement that I had been affiliated from time to time with organizations that were cited as Communist-dominated organizations but I would have certainly taken an oath at any time in my life that I was never under the discipline of the Communist Party or the Communist cause.

Mr. ARENS. And would you have then taken an oath that you had never contributed to the Communist cause?

Mr. MILLER. Well, that question would involve the later citation of certain organizations which I may have contributed a dollar or two to in the past which would now be called contributing to the Communist cause.

The CHAIRMAN. What organizations are you referring to?

Mr. MILLER. I have none in particular in mind.

The CHAIRMAN. You had organizations in mind when you made that statement.

Mr. MILLER. Well, let me think.

I understand the Joint Anti-Fascist Committee has been cited. I believe that from time to time I would contribute to some drive of theirs during and after the Spanish Civil War; that would be one.

The CHAIRMAN. But that was not cited after this?

Mr. MILLER. I say, he is asking me whether I could take such an oath and I don't know the date of these citations.

The CHAIRMAN. You said these organizations were cited after the date of your application for passport?

Mr. MILLER. It is possible, sir, that some of them were cited before. I don't want to make that, I don't want to lay up against this definition any such line. I am trying to tell you as frankly as I can what the truth is.

(Representative Doyle entered the hearing room.)

Mr. ARENS. Mr. Miller, is it a fair summary, and if it is not you take issue with me, because we do not want to misinterpret your situation, is it a fair summary to say that in 1955, when you appeared before the Youth Board and this controversy arose respecting what you have described as your political beliefs, that you told the Youth Board in essence that you had never contributed to the Communist cause, that you had never been under Communist discipline, and that you had made an oath to your Government to that effect when you made application for your passport?

Mr. MILLER. No, I would contest that, sir.

Mr. ARENS. You straighten us out as to what the position was that you took before the Youth Board when the controversy arose respecting yourself in 1955.

(The witness conferred with his counsel.)

Mr. MILLER. I would like to refresh my memory with just a glance at my statement there so I could—

Mr. ARENS. The part which I read to you is here. It has been underlined so that I would be able to refer to it here in this session today.

Mr. MILLER. I would just like to clear one thing up and this, perhaps—no, I guess it isn't technical.

There are two statements referred to here, I think reasonably clearly, although it may seem to be a little meshed together.

It says here that—

Finally, some 2 years ago, I issued a statement which was printed in the press in reply to a State Department statement.

That is a press statement. I believe I have a copy here which you can look at if you don't have a copy of it, and in this I categorically denied that I was supporting the Communist cause or was contributing to it or was under its discipline or domination. That was in reply, that press statement, to a State Department statement which said, in effect, that the State Department was exercising its right to deny a passport to anyone who it was believed was then under the domination of the Communist Party, et cetera.

In my statement to the press I said I was not, and that I was not supporting any Communist cause, and that is what that statement refers to.

Now, in addition, following that, there is a reference to this oath which I would like to separate. One is in error, the other is not. The oath I mistook in my memory for being the kind of oath that you refer to.

Mr. ARENS. Did you, in essence, say to the Youth Board that you were not and had not been under Communist Party discipline and that you had not contributed to the Communist Party?

Mr. MILLER. I dispute that, sir.

Mr. ARENS. Did you admit to the Youth Board that you had been under Communist Party discipline and that you had been contributing to Communist causes?

Mr. MILLER. I was never under Communist Party discipline so, therefore, I would not be called upon to admit.

As for contributing to causes, front groups and so forth, I won't deny that. I am here to tell you the truth and I wouldn't deny it there.

The issue there, quite clearly, was whether I was trustworthy enough to write a screenplay on juvenile delinquency without warping the truth about this very grave problem. Now, I understood perfectly why they would be concerned about this; I would be, too.

I tried to indicate with what I said to them that this would not be the case and they already had an outline of this picture which was not written under duress, was not written while I was under attack at all, I was perfectly calm and quiet. It had been written some weeks or months before and they had all their experts and they themselves had been very enthusiastic about this outline, so there was no question about warping the material. All I was trying to get across was that I was not then supporting any group that might indicate that I would warp this material or that would make me untrustworthy.

Mr. ARENS. That was the essence of your position before the Youth Board; was it not?

Mr. MILLER. Substantially.

Mr. ARENS. Now, Mr. Miller, in 1947, the very year in which you made this passport application in which you stated to the Youth Board the fact that you had sworn to the Department of State you had never been enmeshed in Communist activities, were you a sponsor of the World Youth Festival to be held in Prague?

(The witness conferred with his counsel.)

Mr. MILLER. I beg your pardon, sir. You are not correctly summarizing.

Mr. ARENS. Well, I will read it to you again. You said on this record under oath that I gave a correct recitation of what you said. I will read it to you again.

Mr. MILLER. Excuse me.

Mr. ARENS. The statement made by you before the Youth Board was:

Finally, some 2 years ago, I issued a statement which was printed in the press in reply to a State Department statement and in this I categorically denied that I am supporting the Communist cause or contributing to it or was under its discipline or domination.

You signed that under oath.

Did you make the statement which I have just read to you before the Youth Board in New York City in 1955?

Mr. MILLER. I made the statement but I question your interpretation of it.

Mr. ARENS. Aside from my interpretation, did you make that statement?

Mr. MILLER. Without request.

Mr. ARENS. All right.

Now, in 1947, the year in which you made the application for your passport, and a passport was issued to you, were you a sponsor of the World Youth Festival held in Prague, Czechoslovakia?

Mr. MILLER. Excuse me, sir. It is perhaps a misunderstanding on your part. The moot application in this controversy was the one that was denied. I was not, either literally or in my mind, referring to any other because this was the one that was being brought up in the press and this was the one that was at issue. There was no issue about the previous passports because they had been granted. This was the one that had not been granted and this was the one I was referring to.

Mr. ARENS. Now, in 1947, were you a sponsor of the World Youth Festival to be held at Prague, Czechoslovakia?

Mr. MILLER. I could not recall that, but if there is any evidence——

Mr. ARENS. I should like to refresh your recollection.

I lay before you now a photostatic copy of the New York Times——
(The witness conferred with his counsel.)

Mr. ARENS. Of May 25, 1947, entitled "The Dance: Prague Festival."

A movement, rather late in getting under way but vigorous, nevertheless, has been started to see that the American dance is represented at the World Youth Festival, to be held in Prague from July 20 to August 17, under the auspices of the World Federation of Democratic Youth.

Among the sponsors listed here is a person described as Arthur Miller. I lay that before you and ask you if that helps refresh your recollection?

Mr. MILLER. Well, I would add, of course, that there were a good many other——

The CHAIRMAN. Answer the question.

Mr. MILLER. Mr. Walter, as far as I know, I have no memory of it but I would not deny that I had done this.

Mr. ARENS. I respectfully suggest that this exhibit be marked and appropriately identified and incorporated by reference in the record. (The document was marked "Exhibit No. 1" and filed for the record.)

Mr. ARENS. Now, in 1947, did you have difficulty with the Department of State over an incident in which the Department of State refused to sponsor transportation for students and participants attending this World Youth Festival? Do you recall any incident of that character?

Mr. MILLER. I don't; but I would like to say now that in those times I did support a number of things which I would not do now.

The CHAIRMAN. What things did you support that you would not support now?

Mr. MILLER. I would not support now a cause or movement which was dominated by Communists.

The CHAIRMAN. But you did at that time?

Mr. MILLER. I did; yes.

Mr. ARENS. Now I lay before you this photostatic copy of the New York Times, Wednesday, June 11, 1947, entitled "Miller Fails in Plea."

Efforts to obtain financial assistance for the project to send Arthur Miller's play, All My Sons, to the Prague Youth Festival this summer proved disappointing at a meeting yesterday of theatrical business people and representatives of the company.

There is also in this article reference to an incident which I shall now describe by reading another excerpt from the article concerning a gathering.

The gathering adopted the following resolution, recommended by Mr. Miller, to be wired to the Department of State:

"Urge you seriously to reconsider refusal to sponsor availability of transportation for students and participants attending World Youth Festival in Prague this summer. To my knowledge the participants have no special political affiliations."

I lay that now before you and ask you whether that refreshes your recollection and ask you as to your participation in the incident?

(The witness conferred with his counsel.)

Mr. MILLER. This is of a slightly special nature and I would like to make one comment about it.

Mr. ARENS. Please do.

Mr. MILLER. It does refresh my recollection.

Somebody wanted to do my play. I didn't know who they were but I was always in favor of having my plays done. As I recall, there was no money to send them over and I wanted to do what I could to have that play sent over.

This particular thing, I believe, was just in the normal course of an author's life. I would have done it if they had wanted it to go to Australia.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document be marked and appropriately identified and incorporated by reference in the record.

The CHAIRMAN. It will be incorporated.

(The document was marked "Exhibit No. 2" and filed for the record.)

Mr. ARENS. Did you in this year 1947 sign a statement released by the Civil Rights Congress which, among other things, reads as follows:

The Communist Party is a legal American political party. We see nothing in their program, record, or activities either in war or peace to justify the enactment of the repressive legislation now being urged upon the Congress in an atmosphere of an organized hysteria.

Do you have a recollection in April of 1947, under the auspices of the Civil Rights Congress, in participating in the release of that statement?

Mr. MILLER. Well, I wouldn't say that I participated in the release.

Mr. ARENS. Did you sign the statement?

Mr. MILLER. Sir, I don't—these things were coming across my desk.

Mr. ARENS. I lay before you the document now and see if it refreshes your recollection. It is the Communist Daily Worker of Wednesday, April 16, 1947, indicating that 100 prominent Americans had issued this statement, including a person described here as Arthur Miller. I lay that before you and ask you if that refreshes your recollection.

Mr. MILLER. I see my name here. I will not deny I signed it. I just don't have any recollection of it.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document be marked and appropriately identified and incorporated in the record by reference.

The CHAIRMAN. So ordered.

(The document was marked "Exhibit No. 3" and filed for the record.)

Mr. ARENS. Now I lay before you the Washington Post of Tuesday, May 20, 1947, the very year we are considering here.

Mr. MILLER. I beg your pardon, sir. I wish to establish one fact. You say the year that we are now considering?

Mr. ARENS. We are considering the year 1947.

Mr. MILLER. I realize that you are doing that but I have stated twice now and I want to make myself clear that the Youth Board statement was referring to that issue which was the last application of mine, which was denied, and the oath there.

Mr. ARENS. Since you took issue with me on that, let me read to you a statement which you made before the Youth Board pinpointing it specifically:

My only point here is that these things have been a public record, I mentioned, a year and a half, but actually I received my first passport in 1946 and the same holds true on that passport.

Do you recall making that statement before the Youth Board when there was a declination respecting your alleged fitness or unfitness to participate in that work?

(The witness conferred with his counsel.)

Mr. MILLER. I would have to see the context of that statement.

Mr. ARENS. Would you kindly look at it?

Mr. Chairman, I respectfully suggest that the record show that the transcript which he is now examining was supplied to this committee as a verbatim transcript by the Youth Board pursuant to a subpoena which was issued on the board by the committee.

The CHAIRMAN. All right.

Mr. MILLER. What I was referring to here was the question of being under the discipline of any Communist movement. I think that was the issue in this whole debate here.

Mr. ARENS. That is correct.

Mr. MILLER. I said I was not under the discipline of the Communist Party.

Mr. ARENS. You had not been in 1946 and 1947 and the years prior to the time you had the controversy with the Youth Board?

Mr. MILLER. That I was not under anyone's discipline.

Mr. ARENS. Yes.

Mr. MILLER. I was not implying there that I had never signed any petition or been involved, as you are indicating here; that was not what I was saying.

Mr. ARENS. Would you kindly look at an advertisement appearing in the Washington Post of May 1947, "Rob Communists of Their Rights?—Then Yours Go Out the Window, Too."

It is an advertisement protesting the flagrant violation, punitive measures directed against the Communist Party, and signed by a number of persons, including one Arthur Miller, identified as a playwright.

I ask you if you have a recollection of lending your name to that cause or movement?

Mr. MILLER. I see my name here. I would not deny I might have signed it.

Mr. ARENS. I respectfully suggest that this document be marked and appropriately identified and incorporated by reference in the record.

The CHAIRMAN. Let it be marked.

(The document was marked "Exhibit No. 4" and filed for the record.)

Mr. ARENS. In 1947, were you cognizant of the proceedings then pending in this country against a Communist agent known as Gerhart Eisler?

Mr. MILLER. I remember reading about him.

Mr. ARENS. Did you sign a statement in protest of the prosecution of Gerhart Eisler?

Mr. MILLER. I don't recall that, sir.

Mr. ARENS. I lay before you now a press release of 1947 of the Civil Rights Congress protesting the shameful persecution of the German anti-Fascist refugee, Gerhart Eisler, signed by a number of persons, including a person identified as Arthur Miller, playwright.

I ask you if that refreshes your recollection.

Mr. MILLER. I recall this. I would like to say, though, that I did sign a lot of things in those days.

The CHAIRMAN. Wait a minute.

Did you sign that or is that a press release?

Mr. MILLER. Oh, no—

Mr. ARENS. That is a press release, Mr. Chairman, indicating the names of people who signed it. He has now identified it, or at least admitted his signature to the press release.

Mr. MILLER. I am not denying being the sponsor of many of these things.

Mr. ARENS. I lay before you a passport application—

Mr. MILLER. At the present time I would not be doing it; that is all. This is the only point I want to make.

Mr. ARENS. We will go on up into the years in chronological order. We want to stick with 1947 now and then we will move up a little later.

Now I lay before you the passport application of a person where the signature appears, Samuel Lipzen,¹ but the photograph is that of Gerhart Eisler.

Did you know at the time you signed that statement protesting the persecution of Gerhart Eisler that he was a top-ranking agent of the Kremlin in this country, and that, among other things for which he was being pursued by our Government, was passport fraud?

Mr. MILLER. Sir, I would have had no knowledge of that, and in those days I would not have had the mood of investigating these things at all. I tell you quite frankly this suited the mood that I was in, and I would never have gone to any trouble about investigating that kind of thing in relation to a cause.

Mr. ARENS. Did you participate in a statement issued by the Civil Rights Congress with reference to Eisler?

The hysterical atmosphere contrived around the case indicates that this incident involving a German Communist kept here against his will is intended as the initial phase of a sweeping attack upon the entire labor and progressive movement in the United States.

Do you recall issuing a statement in conjunction with others under the auspices of the Civil Rights Congress in 1947 bearing on this case?

Mr. MILLER. I would like to make another point, and that is—

Mr. ARENS. Answer, first of all, whether or not you have a recollection.

Mr. MILLER. I don't recall it.

Mr. ARENS. Look at this exhibit here and see whether or not it helps refresh your recollection.

Mr. MILLER. My point is simple.

Mr. ARENS. First tell us whether or not this refreshes your recollection, whether or not you recall participating in the issuance of that statement, and then go on with your statement.

Mr. MILLER. I do not recall participating in it. I do not deny I may have done it. I do not have a memory of these things. It is 10 years ago.

I would just make this simple point, and that is that I would have had no knowledge of the details here, and they would not have been of great interest to me at the time. I was acting not as an investigator or as a lawyer, as someone who would be careful to any great degree about what he was supporting providing that it met the mood of the time that I was living in.

Mr. ARENS. We will get into that proposition a little later. I want to know whether or not you can tell us whether you have a recollection.

Mr. MILLER. I do not.

Mr. ARENS. I respectfully suggest that this be marked as an exhibit and appropriately identified and incorporated by reference in the record.

The CHAIRMAN. Mark it a part of the record.

(The document was marked "Exhibit No. 5" and filed for the record.)

Mr. ARENS. Did you, during this period which we have been discussing, we are beginning in 1947 and coming on right up, did you during this period know a man by the name of Millard Lampell?

¹ (Spelling should read, Liptzen.)

Mr. MILLER. I did; yes.

Mr. ARENS. Did Millard Lampell, to your knowledge, recollection, solicit you to participate in a movement called Veterans Against Discrimination of the Civil Rights Congress?

Mr. MILLER. I would not recall that, sir. I don't remember that.

Mr. ARENS. Do you recall Millard Lampell enlisting you to join in the movement to attack the House Committee on Un-American Activities?

Mr. MILLER. No, sir.

Mr. ARENS. Do you recall an attack on the House Committee on Un-American Activities in which you were a participant?

Mr. MILLER. I would say that in all probability I had supported criticism of the Un-American Activities Committee.

Mr. ARENS. Would you want to give us a little bit clearer characterization of what you mean by the word "criticism" of the House Committee on Un-American Activities?

Mr. MILLER. I probably would have signed statements opposing the committee.

Mr. ARENS. Did you sign statements or lend your name, prestige, and influence toward a movement to abolish the Committee on Un-American Activities?

Mr. MILLER. I have no memory of that.

Mr. ARENS. I lay before you now a photostatic copy of a letter on the letterhead of the Veterans Against Discrimination of Civil Rights Congress, Millard Lampell, chairman, who, as the record reflects, has been identified as a hard-core Communist, which says:

The Un-American Committee can and must be abolished.

Among others, the sponsors include the name of one Arthur Miller. I ask you whether or not that refreshes your recollection as to any of your activities?

Mr. MILLER. My connection with this organization was, well, I might as well answer your question.

I would say, yes.

Mr. ARENS. Mr. Chairman, I suggest that this be marked and appropriately identified and incorporated by reference in the record.

The CHAIRMAN. It will be marked.

(The document was marked "Exhibit No. 6" and filed for the record.)

Mr. ARENS. Now I lay before you a copy of an announcement of a mobilization, a rally, mobilized against the House Un-American Activities Committee, held under the auspices of the Civil Rights Congress, in which 1, 2, 3, 6 people are to speak at Manhattan Center in New York City, 3 of whom have been publicly identified as Communist agents, including on this list of people who are to speak at this rally to destroy the House Committee on Un-American Activities, one Arthur Miller.

I ask you whether or not you are the Arthur Miller and whether or not you have a recollection of participating in that rally?

Mr. MILLER. I am not clear whether I was a speaker or not.

Mr. ARENS. The advertisement would so indicate; would it not?

Mr. MILLER. Well, I have found that more than once there was a slight use of license, so to speak, and I found myself listed as a speaker many times, or several times at least. I recall people saying to me that

I had made a speech somewhere some weeks ago and I would say, "Where?" I had been a sponsor of something but I had not made a speech.

I don't recall making that speech. It is quite probable that I supported it.

Mr. ARENS. I respectfully suggest that the document be marked, appropriately identified, and incorporated by reference.

The CHAIRMAN. It may be marked.

(The document was marked "Exhibit No. 7" and filed for the record.)

Mr. DOYLE. May I ask what year that is, Counsel?

Mr. ARENS. 1947.

Mr. KEARNEY. Mr. Miller, on the use of your name on these various organizations that held rallies where your name is listed as a speaker, did you ever make any protest against the use of your name?

Mr. MILLER. I would occasionally; yes. I would try to find whoever was responsible, which was not always easy. It was always after the fact, of course, and there was no way for me to redress the thing. I did make remonstrances.

Mr. ARENS. Did you remonstrate the use of your name appearing in the public print in connection with a public caravan to come to Washington to protest the hearings by the House Un-American Activities Committee in which they were exposing Communists in Hollywood?

Mr. MILLER. No; I would not have protested that. I was supporting that.

Mr. ARENS. Did you participate in the caravan?

Mr. MILLER. No; I did not.

Mr. ARENS. Do you recall participating in a movement to defend Howard Fast?

Mr. MILLER. If I can see the material?

Mr. ARENS. I lay before you now a photostatic copy of a dodger of a protest meeting for Howard Fast "and other victims" of the House Committee on Un-American Activities, signed by approximately a dozen people that are called to action here, including a person listed as Arthur Miller, and ask you whether or not you are the Arthur Miller?

Mr. MILLER. Yes, and I would like to be permitted to make one comment.

Mr. ARENS. We would be very glad to have you do so.

Mr. MILLER. That was my opinion at the time. It did reflect my opinion that in my experience I know really very little about anything except my work and my field, and it seemed to me that the then prevalent, rather ceaseless, investigating of artists was creating a pall of apprehension and fear among all kinds of people.

The CHAIRMAN. But did you know that those very artists were the chief source of supply for the funds that were used by the Communists in the United States? Did you know that when you were defending these people that they were the people who contributed thousands of dollars monthly in order to assist in the organization of labor unions that were Communist-dominated?

Did you know that?

Mr. MILLER. Mr. Walter, I will tell you——

The CHAIRMAN. Or did you not care?

Mr. MILLER. Quite frankly, that was not the consideration in my mind. The consideration in my mind was that, as far as I could see, there was a distinct pall of apprehension and fear. People were being put into a state of great apprehension and they were——

The CHAIRMAN. Apprehension of what, Mr. Miller?

Mr. MILLER. Well, in some cases just punishment and in some cases unjust punishment.

The CHAIRMAN. Do you know of any artist who was prosecuted as a result of any information obtained from these hearings who was not a member of the Communist apparatus?

Mr. MILLER. Quite frankly, sir, that wouldn't have been the issue in my mind, if you are asking me to tell you the truth.

The CHAIRMAN. You are talking about the issue in your mind and, in view of the fact that you have raised this question repeatedly about your mood, your mind, may I ask you if you changed your mind since the revelations concerning Mr. Stalin have been made?

Mr. MILLER. My mind was, I have been in—let me put it this way:

I suppose that a year has not gone by that I have not altered my opinions or beliefs or approach to life, and long before that I had shifted my views as to my relations or my attitude toward Marxism and toward communism.

The CHAIRMAN. When did you change your views about Marxism?

Mr. MILLER. This is not—I was not a Saul of Tarsus walking down a road and struck by a bright light. It was a slow process that occurred over years of really through my own work and through my own efforts to understand myself and what I was trying to do in the world.

The CHAIRMAN. This is very interesting to me, because within the last few hours there came to my office a very prominent lawyer, who told me of a number of performers who had invoked the fifth amendment, and they did it largely because they did not want to be placed in the position of being informer, but he said that there now has come to them an appreciation that the greatest informer in the world is the man who now speaks for the Communists, namely, Mr. Khrushchev. It was a very interesting thing, and he said that six of these performers now want to come before our committee and testify, people who invoked the fifth amendment.

Mr. ARENS. Mr. Miller, this mood that you are talking about to defend people in the arts did not strike you apparently in 1945 with reference to Ezra Pound, did it?

Mr. MILLER. I was very troubled by Ezra Pound's condition and to this day I think it is a tragic fact, and I could not tell you right now in any cogent way what I think should have been done with Ezra Pound. My instinctive feeling is that he should have been let alone.

Mr. ARENS. You must have changed your mind then since 1945, did you not?

Mr. MILLER. I probably did; yes.

Mr. ARENS. Let us clear the record. Who was Ezra Pound?

Mr. MILLER. Who is Ezra Pound?

Mr. ARENS. Who was he?

Mr. MILLER. Ezra Pound is one of the great poets of this century.

Mr. ARENS. And you, in effect, said in that statement which appeared in New Masses that he ought to be shot, did you not?

Mr. MILLER. I don't recall such a statement.

Mr. ARENS. Well, let me read it to you.

Mr. MILLER. By the way, you didn't permit me to finish my statement.

Mr. ARENS. I beg your pardon; go right ahead.

Mr. MILLER. It happened one night I had bought a new radio during the war and I had a shortwave set and I turned on the shortwave and there was a voice which I had never heard but which spoke perfectly good American advocating the destruction of the Jewish people and justifying the cremation of Jews, and I was quite astonished because it was such a common American accent and I waited to the end, and it was being broadcast from Italy, and it was Ezra Pound.

I think I can be forgiven for feeling slightly perturbed about this man but I will say now, despite that, it is a difficult and hard issue to settle, and I think it's a tragic one and sometimes there are no easy answers.

Mr. ARENS. Ezra Pound was a poet who, during the war, was issuing statements and was writing plays and issuing poems which were anti-Communist and which were against the interests at that time of the United States of America.

Is that not the essence of what he did? He was a propagandist, a writer; was he not?

Mr. MILLER. Excuse me, sir. I had never had any knowledge of Ezra Pound's views at all, quite frankly, until I heard that broadcast and I realized that this man was a Mussolini propagandist who was broadcasting from the Rome radio.

Mr. ARENS. That was in 1945?

Mr. MILLER. Yes.

Mr. ARENS. Before your sympathies were aroused to defend the artists, poets, and playwrights who were being brought before this committee? Now, is that not correct as a matter of chronology?

Mr. MILLER. Whether that was before; yes.

Mr. ARENS. Did you not write in New Masses, in effect, criticizing those who would defend Ezra Pound on the same basis that you defended the Hollywood Ten?

Mr. MILLER. I would like to see the statement, if I may.

Mr. ARENS. I would like to show it to you and I would like to read for the record some of the statements: "Arthur Miller, writing for the New Masses," which of course has been identified as the Communist publication repeatedly. Perhaps I had better read a good deal of it here so there will be no indication of taking anything out of context.

Mr. MILLER. I trust you.

Mr. ARENS. Now, with that background, and you correct me if I make a misrepresentation, Ezra Pound in 1945 was writing poems, plays, radio addresses which were anti-Communist and which were against the interest of this country, the United States of America, was he not?

Mr. MILLER. There was also a war going on.

Mr. ARENS. That is correct.

Here is Arthur Miller's statement in 1945:

In the belief that Ezra Pound's trial for treason is of high importance to the future direction of American letters, and poetry in particular, I should like to offer my commentary on the reaction of five poets and a critic to the Pound case in the newspaper PM of Sunday, November 25. The majority of the reactions are alarming.

All six agree that Pound's contribution to literature was of the highest order. With this no man can argue.

If I may be pardoned some nonpoetical language, the boys are cutting the baloney pretty thick. Shapiro ought to know that Pound is not accused of not "reversing his beliefs" but of aiding and abetting the enemy by broadcasting propaganda calculated to undermine the American will to fight fascism. And Mr. Aiken ought to know by now that Pound did not betray himself to "man in the abstract" but to Mussolini whose victims are, to be sure, now buried and abstract, but who was a most real, most unpoetical type of fellow.

The article winds up:

In conclusion, may I say that without much effort one could find a thousand poets and writers who understand not only why Pound was dangerous and treasonous, but why he will be even more so if released. In a world where humanism must conquer lest humanity be destroyed, literature must nurture the conscience of man. A greater calamity cannot befall the art than that Ezra Pound, the Mussolini mouthpiece, should be welcomed back as an arbiter of American letters, an eventuality not to be dismissed if the court adopts the sentiments of these four poets.

I lay that article now before you appearing in the New Masses, and ask you whether or not you are the person who wrote that article in 1945 protesting the position of those who would excuse Ezra Pound because he was a poet and an artist?

MR. MILLER. Mr. Arens, I would like to make several points here which I think are of great importance.

Ezra Pound was a—in the first place, this was a time of war. He was literally and in every conceivable way a traitor and there was no question about it, I don't think, in anybody's mind. I would not now say that I share all these sentiments by any means. This is a long time ago. I don't think I would be quite as virulent about it now.

I, however, can understand quite easily how I could have felt this way. I felt this man threatened me personally. I am a Jew. He was for burning Jews and you will have to pardon my excitement at the time if that was the situation.

MR. ARENS. I want this record to show that I am not undertaking by this question to defend Ezra Pound; I am only pointing out by this exhibit what would appear to be, absent any explanation, an inconsistency at least.

(Representative Jackson entered the hearing room.)

MR. KEARNEY. Pound was convicted as a traitor and served time?

MR. ARENS. As were the 12 Communists.

MR. JACKSON. May I ask him a question?

THE CHAIRMAN. All right.

MR. JACKSON. I would like, in view of the witness's strong words of denunciation of Mr. Pound for his expressions of anti-Semitism and his understandable resentment of them, did you ever subsequently, and particularly since the denunciation in the Soviet Union of Stalin, ever make a public statement denouncing the shocking evidence of anti-Semitism in the Soviet Union?

MR. MILLER. I am sorry to say that there was none. I am sorry to say something worse, that I was not shocked. This last stuff has been no great shock to me. I have had intimate evidence from a man I know who had a brother in the Soviet Union and who was, as I remember it, the editor or writer for some literary magazine there and who this man told me, I can't remember now because it's possibly 3

years ago, 4 years ago, he had completely dropped out of sight and was no longer responding to any mail. They were two brothers.

This fellow told me that he thought that he had been the victim of purely anti-Semitic things.

Now I have ceased these kinds of statements, as I said, which were befitting the frame of mind I was in. I ceased issuing statements right and left except when I am personally involved because I found I was being tangled in stuff that I was really not prepared to defend 100 percent, and I am ashamed to say that I should have and I did feel I was not completely ignorant of this. It isn't a matter of Khrushchev. I knew this before Khrushchev.

Mr. ARENS. Did you know it in 1952 when you signed a statement in defense of the 12 Communist traitors who were convicted in Foley Square in New York City?

Mr. MILLER. That I would make a differentiation about, quite frankly. This is a question which verges on, I don't know under what law this prosecution took place.

Mr. ARENS. Under the Smith law, conspiring to overthrow the Government of the United States by force and violence. That is part of the International Cominform apparatus.

Mr. MILLER. I am opposed to the Smith Act and I am still opposed to anyone being penalized for advocating anything. I say that because of a very simple reason.

I don't believe that in the history of letters there are many great books or great plays that don't advocate. That doesn't mean that a man is a propagandist. It is in the nature of life and it is in the nature of literature that the passions of an author congeal around issues.

You can go from war and peace through all the great novels of time and they are all advocating something. Therefore, when I heard that the United States Government wanted to pass a law against the advocacy without any overt action, I was alarmed because I am not here defending Communists, I am here defending the right of an author to advocate, to write.

Mr. SCHERER. Even to advocate the overthrow of this Government by force and violence?

Mr. MILLER. I am now speaking, sir, of creative literature. These are risks and balances of risks.

The CHAIRMAN. We will have a recess of about 5 minutes.

(A short recess was taken with the following committee members present: Representatives Walter, Doyle, Willis, Kearney, Jackson, and Scherer.) (Representative Velde entered the hearing room.)

The CHAIRMAN. The committee will be in order. Proceed.

Mr. SCHERER. Mr. Chairman, I was asking the witness a question which I would like to pursue.

Witness, counsel asked you about your protesting the prosecution of the 12 Communists in Foley Square, and you said that you had protested that prosecution and, in explanation of that action on your part, you said, "I am opposed to the prosecution of any one for advocating anything." Do you recall that you made that statement?

Mr. MILLER. Yes.

Mr. SCHERER. You understood, did you not, that the 12 Communists were prosecuted for advocating, teaching, and urging the overthrow of this Government by force and violence through unlawful means? Now, my question is, do you mean that you would be opposed

to the prosecution of anyone today for advocating the overthrowing of this Government by force and violence? I cannot draw any other conclusion.

Mr. MILLER. Mr. Scherer, there is another conclusion which I would like to speak on for just one moment. The Smith Act, as I understood it and as I understand it now, does lay penalties upon advocacy.

Mr. SCHERER. Upon what?

Mr. MILLER. Upon advocacy of beliefs or opinions, and so forth. What I felt strongly about then——

Mr. SCHERER. Not opinions. It does not lay any upon opinions.

Mr. MILLER. I am not that close to the text of it, but my understanding of it is that advocacy is penalized or can be under this law. Now, my interest, as I tell you, is possibly too selfish, but without it I can't operate and neither can literature in this country, and I don't think anybody can question that.

Mr. SCHERER. I am not asking you about advocacy generally.

Mr. MILLER. Yes, sir; but, sir, I understand your point.

Mr. SCHERER. I do not understand yours.

Mr. MILLER. I was trying to make it clear, sir. My point is simply that, if there is a penalty upon advocacy, what my protest was about was that idea taking hold so that people could say depending upon the ideas ruling the society at any particular time would depend the liberty of advocacy of any particular idea at any time.

In other words, if advocacy of itself becomes a crime, in my opinion, or can be penalized without overt action, we are smack in the middle of literature and I don't see how it can be avoided. That is my opinion. That is, where I can understand yours, I ask you to understand mine.

Mr. SCHERER. We are not talking about literature. These 12 Communists were on trial for advocating the violent overthrow of this Government by force and violence.

Does your theory or your belief carry so far as for you to sit here today and say that you are opposed to prosecution of anyone who today would advocate, teach, and urge the overthrow of this Government by force and violence, limiting it to that? Let us leave literature out of that.

Mr. MILLER. You see, you are limiting it to that.

Let me put it quite simply. If a man were outside this building and telling people to come in and storm this building and blow it up or something of that sort, I would say "Call out the troops." There is no question in my mind about that. That is advocacy, but in the Smith Act, as I understand it, it is applicable and can be applied, given a sufficient public backing, to literature.

Now, in my opinion, that cannot be equated with the freedom of literature without which we will be back in a situation where people as in the Soviet Union and as in Nazi Germany have not got the right to advocate.

Mr. SCHERER. Let us go into literature. Let me ask you, do you believe that today a Communist who is a poet should have the right to advocate the overthrow of this Government by force and violence in his literature, in poetry or in newspapers or anything else?

(The witness confers with his counsel.)

Mr. MILLER. I tell you frankly, sir, I think if you are talking about a poem I would say that a man should have the right to write a poem just about anything.

Mr. SCHERER. All right.

Mr. JACKSON. Let me ask one question. Then I understand your position is that freedom in literature is absolute?

Mr. MILLER. Well, I recognize that these things, sir, are not; the absolutes are not absolute.

Mr. JACKSON. My interpretation of your position is that it is absolute that a writer must have, in order to express his heart, absolute freedom of action?

Mr. MILLER. That would be the most desirable state of affairs, I say; yes.

Mr. SCHERER. Even to the extent of advocating the violent overthrow of the Government of the United States at this time?

Mr. MILLER. Frankly, sir, I have never read such a book.

Mr. SCHERER. I did not say you have read it. I am asking you what your opinion is with reference to it.

Mr. MILLER. I think a work of art—my point is very simple. I think that, once you start to cut away, there is a certain commonsense in mankind which makes these limits automatic. There are risks which are balanced. The Constitution is full of those risks. We have rights, which, if they are violated, are rather used in an irresponsible way, can do damage. Yet they are there and the commonsense of the people of the United States has kept this in sort of a balance. I would prefer any day to say, "Yes, there should be no limit upon the literary freedom," than to say "You can go up this far and no further," because then you are getting into an area where people are going to say, "I think that this goes over the line," and then you are in an area where there is no limit to the censorship that can take place.

Mr. SCHERER. Do you consider those things that you have written in the New Masses as an exercise of your literary rights?

Mr. MILLER. Sir, I never advocated the overthrow of the United States Government. I want that perfectly clear.

Mr. SCHERER. I did not say you did. I want to get what you consider literature.

Mr. MILLER. I didn't advocate that. I wouldn't call it especially an exercise in freedom. It was simply an effusion of mind. It didn't require a mandate to do it. The Masses was widely circulated. Writers were writing for it. Some of the greatest writers today have written for the New Masses.

Mr. SCHERER. Then you believe that we should allow the Communists in this country to start actually physical violence in the overthrow of this Government before they are prosecuted?

Mr. MILLER. No, sir. You are importing.

Mr. SCHERER. I cannot draw any other conclusion from what you said.

Mr. MILLER. You fail to draw a line between advocacy and essence. Our law is based upon acts, not thought. How do we know? Anybody in this room might have thoughts of various kinds that could be prosecuted if they were carried into action, but that is an entirely different story.

Mr. VELDE. May I say something here? As you sit in this room in your present mood, are you opposed to the Smith Act? Would you advocate its repeal?

Mr. MILLER. Sir, I have not got the Smith Act in front of me. I could tell you my sentiment as it relates to the Smith Act. I take responsibility for that opinion. In other words, I am opposed to the laying down of any limits upon the freedom of literature, and I am opposed to it because I think that that way lies a kind of repression of literature which is disastrous.

In the Soviet Union there has been nothing written of any value in 25 years. You cannot lay down those limits and expect that they will just go that far.

Mr. VELDE. I understand. In my opinion, you have a perfect right to advocate the repeal of the Smith Act if you want to.

Mr. MILLER. I am just making one mitigation. I don't know the Smith Act well enough for me to sit here under oath and say that I am opposed to every single word in it. I couldn't do that because I don't believe I have ever read the thing. All I know is that that provision, according to the widest publication of the press, is in it, and I would be opposed to that provision.

Mr. VELDE. In any event, Mr. Miller, you have not had a change of heart since 1947, during the trial of the 12 Communists?

Mr. MILLER. In relation to censorship, I have always had the same opinion.

Mr. SCHERER. This is not censorship.

Mr. MILLER. Perhaps I used the word closely, but in relation to the limitation of the artist's right in society, I am opposed to it.

Mr. SCHERER. All of us believe in freedom.

Mr. KEARNEY. You are putting the artist and literature in a preferred class.

Mr. MILLER. I thought we were going to get to this and it places me in a slightly impossible position, and I would be lying to you if I said that I didn't think the artist was, to a certain degree, in a special class. The reason is quite simple and maybe absurd but, if you are asking me what I think, I will tell you.

Mr. JACKSON. One brief question.

The CHAIRMAN. Let him finish that question.

Mr. MILLER. I would like to answer Mr. Kearney.

Mr. JACKSON. Very well, sir.

Mr. MILLER. Most of us are occupied most of the day in earning a living in one way or another. The artist is a peculiar man in one respect. Therefore, he has got a peculiar mandate in the history of civilization from people, and that is he has a mandate not only in his literature but in the way he behaves and the way he lives.

Mr. SCHERER. He has special rights?

Mr. KEARNEY. Please.

Mr. MILLER. I am not speaking of rights.

Mr. KEARNEY. I would like to have the question I asked answered.

The CHAIRMAN. He is trying to answer.

Mr. KEARNEY. There are interruptions.

Mr. MILLER. The artist is inclined to use certain rights more than other people because of the nature of his work.

Most of us may have an opinion. We sit once or twice a week or we may have a view of life which on a rare occasion we have time to speak of. That is the artist's line of work. That is what he does all day long and, consequently, he is particularly sensitive to its limitations.

Mr. KEARNEY. In other words, your thought as I get it is that the artist lives in a different world from anyone else.

Mr. MILLER. No, he doesn't, but there is a conflict I admit. I think there is an old conflict that goes back to Socrates between the man who is involved with ideal things and the man who has the terrible responsibility of keeping things going as they are and protecting the state and keeping an army and getting people fed.

Mr. ARENS. Now, Mr. Miller, in June of 1947, did you participate in a call of cultural leaders for a bill of rights conference to be held in the Henry Hudson Hotel in New York City?

(The witness confers with his counsel.)

Mr. ARENS. Do you recall participating in that call for the conference?

Mr. MILLER. I beg your pardon, sir. I was just talking.

Mr. ARENS. Did you in 1949 in June participate in a call for a conference on civil liberties, civil rights, to be held in the Henry Hudson Hotel in New York City?

Mr. MILLER. What year was this?

Mr. ARENS. 1949.

Mr. MILLER. Could I see that?

Mr. ARENS. Yes, I lay before you this call to conference which, among other things, charges the FBI with being peeping Toms and using paid informers and going into every lodge, home, church, political meeting, and labor organization; something has to be done about it so you have a call to conference in New York City in 1949. Do you recall that [handed]? The name Arthur Miller appears there as one of those who is attacking the FBI.

Mr. MILLER. I wouldn't deny having done this.

Mr. ARENS. Do you recall attending the conference?

Mr. MILLER. I don't believe I did, sir.

Mr. ARENS. At the conference, according to the New York Times, there was a resolution introduced for the purpose of defending all the victims of the Smith Act about which we have been talking, but the conference decided it would not defend all the victims of the Smith Act; it would not defend the Trotskyites.

According to this article, Paul Robeson, who was there, said:

In speaking for denial of civil liberties to the Socialist Workers Party, Mr. Robeson asked the conference, "Would you give civil rights to the Ku Klux Klan?"

"No," chorused the delegates.

"These men are the allies of fascism who want to destroy the new democracies of the world," the singer shouted. "Let's not get confused. They are the enemies of the working class."

According to this article in the New York Times, July 18, 1949, this civil rights conference in which you participated in setting up, or to which you lent your name, would deny civil liberties to the Trotskyites although they would give them to Communists.

Do you recall the position of the Civil Rights Congress as reported by the New York Times in 1949?

Mr. MILLER. I recall. I would say that I would have signed this but I would add now that, first of all, it was not my speech you just quoted. It was someone else's.

Mr. ARENS. I understand. I just asked you whether or not you were there.

Mr. MILLER. I would have to say as well that this did not represent my view then.

Mr. ARENS. Did you protest this position?

Mr. MILLER. Well, I didn't protest here, but I was very put out that anyone who had been prosecuted in that sort of way should not be defended.

Mr. ARENS. Were you present at the session?

Mr. MILLER. I don't believe so, sir. I don't believe I was there.

Mr. ARENS. Did you remonstrate with the leadership of this Civil Rights Congress?

Mr. MILLER. I did not know about this position at the time because it was a general lapse of interest in what was going on, but I would say the degree of responsibility that is implied in my signing that thing, and I think it was wrong. I think that the Trotskyites or anybody else who suffered the penalties of a law should be defended regardless of opinion if he is brought up for prosecution under that law.

Mr. ARENS. Did you learn of the position of this Civil Rights Congress that civil rights are for everybody, including the Communists, but not for Trotskyites? Did you learn of it at any time before I just read it to you?

Mr. MILLER. I couldn't recall that. I think I have set forth my position on that.

Mr. ARENS. Did you learn of the attacks by the Civil Rights Congress on the Federal Bureau of Investigation as fascism, American style?

Mr. MILLER. I don't recall anything of that kind.

Mr. ARENS. Now, did you know a man by the name of Kazan?

Mr. MILLER. I did.

Mr. ARENS. What was your relationship with Mr. Kazan?

Mr. MILLER. He was the director of two of my plays.

Mr. ARENS. And was he subsequently exposed as a Communist?

Mr. MILLER. I believe so; yes.

Mr. ARENS. And did he subsequently testify and admit that he had been a Communist and identified before an agency of his Government people whom he had known as members of the conspiracy?

Mr. MILLER. Yes.

Mr. ARENS. And did you then in 1953 criticize Mr. Kazan as a renegade intellectual?

Mr. MILLER. No.

Mr. ARENS. As an informer?

Mr. MILLER. No.

Mr. ARENS. Did you protest the position of Kazan when he testified before his Government and said, in effect, he had been a Communist, and identified people as Communists?

Mr. MILLER. I have never made the statement about Elia Kazan's testimony in my life.

Mr. ARENS. Did you at any time to any person level a criticism at Kazan because of his testimony before a committee of his Government in which he identified people as Communists?

Mr. MILLER. I discussed Kazan's testimony, or not his testimony. I didn't know what his testimony was exactly, but I have discussed him with 1 or 2 people in my life.

Mr. ARENS. Just answer the question. After Kazan had been your producer, worked with you in your plays and came down to Washington and testified before a congressional committee, "Yes, I have been a Communist. Yes, I identify so and so and so and so as people who were in the conspiracy with me," did you criticize him for that position? Did you break with him?

Mr. MILLER. Are you asking me whether I broke with him? Is that the question?

Mr. ARENS. The question is pretty clear, I believe. What was your position with reference to Kazan after he testified before a congressional committee?

Mr. MILLER. You are putting two things together.

Mr. ARENS. Take them one by one, any way you want to.

Mr. MILLER. The fact is I broke with him, although that word is not descriptive of my act.

Mr. ARENS. We will use the word "disassociate," then.

Mr. MILLER. I am not at all certain that Mr. Kazan would have directed my next play in any case. I am not one to go about in the streets proclaiming my private business, and the public or whoever is interested would not know that perhaps other elements had come into this situation which have absolutely no political interest, and I would venture to say have no interest for this committee. The fact is that he did not direct any more of my plays. It may be in the future he will. I have said that in the New York Post, I believe. I believe I said that. I hesitate to take the brunt of this kind of characterization, so to speak, not really for political reasons but because there are private reasons involved here which I don't believe are of interest here.

Mr. DOYLE. Mr. Chairman, may I interrupt? I do not think we should take the time of this committee to have this witness put in a position where he tells about his private business.

The CHAIRMAN. Well, of course not. He is volunteering this statement.

Mr. DOYLE. I do not think we should let him volunteer these confidential matters of his business and profession. They are not a concern of this committee.

The CHAIRMAN. That is right.

Mr. DOYLE. I object to that procedure. I do not think we have any business leaving this witness in that position.

The CHAIRMAN. There is no disposition to do that.

Mr. DOYLE. Let us stop it then and go to the issue.

The CHAIRMAN. All right.

Answer the question.

Mr. ARENS. The question is, Did you attack Kazan because he broke with the Communist Party and testified before a congressional committee?

Mr. MILLER. I stated earlier, sir, that I have never attacked Kazan. I will stand on that. That is it.

Mr. ARENS. That is the answer, then. Did you join with others in protesting the enactment of the Internal Security Act in 1950?

Mr. MILLER. I don't even remember what the act was, to tell you the truth, and I am not prepared to deny or affirm it. You will have to show it to me. If it seems familiar, I will identify it.

Mr. ARENS. Were you an initiating sponsor of an emergency defense conference held in New York City in 1952 for the purpose of protesting the enforcement of the Internal Security Act?

Mr. MILLER. I have no recollection of it whatever.

Mr. ARENS. Now, do you recall in 1948 the proposed visit of the Red Dean of Canterbury to the United States and any participation you may have had as a part of the welcoming committee?

Mr. MILLER. Are you asking me whether I did that?

Mr. ARENS. Yes, sir. Do you recall it? Do you have a recollection of it?

Mr. MILLER. I don't, but I probably did it. That is my answer.

Mr. ARENS. Were you a member of the National Council of Arts, Sciences, and Professions?

Mr. MILLER. Yes.

Mr. ARENS. Did you know at the time that you were a member of this of its Communist control and leadership?

Mr. MILLER. Well, I suspected that the Communists were in control of it. I couldn't say that I knew it.

Mr. ARENS. Excuse me. Did you protest at any time the control of the organization by the Communist Party?

Mr. MILLER. In itself as such, no, but I did have actually no contact with these people excepting as I was being circulated for my name and various things and my participation in the Waldorf Peace Conference. Beyond that I don't recall having any business with them. I would have from time to time perhaps taken issue on some particular thing with some person or other, but I wouldn't have lodged a formal protest. I didn't lodge a formal protest.

Mr. ARENS. Did you lend your name as a sponsor of the peace parleys of the World Congress for Peace held in Paris?

Mr. MILLER. I don't believe that that is accurate. It is the only one that I actually believe I had nothing to do with.

Mr. ARENS. I lay before you now a photostatic copy of that organization World Congress for Peace to be held in Paris. Among the sponsors listed there is a person by the name of Arthur Miller. I ask you whether or not you have a recollection of that [handing]?

Mr. MILLER. The reason that I doubt this—I am not willing to swear that this is not so, but the reason that makes me doubt it is that while I have supported such causes without question, whenever the issues got—and there were several times which I can't pinpoint now, but I just vaguely remember where something was going to be carried into the international sphere, I would like to make the point that there I was loath and I think here is no case that I would say I was ready to support criticism of this country abroad. I want to just amplify that for 1 second. It is very important to me because it does make a difference to me. This is involved in this because it is an international thing and it is usable in Europe.

After the denial of my passport by the State Department, I was literally besieged by foreign newspapermen. Many of them, as far as I know they were all from non-Communist and most of them in the country I know little about, France. They were from the rightest

press and from the center press. They were after me to the point where I had to go to my home in Roxbury and hide out there because they wanted me to carry on a fight about this in the European press against the United States, and I refused to do it and I refused to do it for a good reason, and that is that, whatever I may have supported and however it looks, I do draw a line between criticism of the United States in the United States and before foreigners.

The CHAIRMAN. Do I understand that representatives of the foreign press—

Mr. MILLER. In New York.

The CHAIRMAN. In New York tried to prevail upon you to attack your Government for publicity purposes in the nations they came from?

Mr. MILLER. Sir?

The CHAIRMAN. Are those people still employed in this country?

Mr. MILLER. I wouldn't know. I would have no way of knowing. The statement is slightly extreme, sir, as compared to the facts. I don't think it needs me to say that the passport denial business is widely publicized in Europe, and many of these people feel disabled in the face of the Communist mockery of democratic institutions when they try to defend this, and many of them feel, I am sure, that it is an unwise policy in many cases, especially someone—not only in my case, but I think there was a question of a visa for Graham Greene once.

The CHAIRMAN. I am talking about a particular thing because I think that those people ought not to be permitted to work in this country.

Mr. MILLER. I am just telling you what I know. That is that they were eager, as a matter of fact the brunt of their tone and of their method of talking to me on the telephone was to aggravate this thing into an international issue of sorts, and I refused to do it because I don't believe, in other words, that anybody in Europe has got anything to teach us much in that regard, and it was a dishonest thing, it would have been a dishonest thing for me to have done. I felt very deeply about it. I felt very hurt about it because I believe I am a good representative of this country abroad and my plays are shown everywhere where there is a theater abroad.

Mr. ARENS. Do you have that position with respect to Red China?

Mr. MILLER. What position?

Mr. ARENS. The position that you did not want to participate in anything affecting international relations.

Mr. MILLER. No. In the last few years I would not participate in anything that was a Communist front of any kind.

Mr. ARENS. Did you participate in a movement to embrace Red China by this country?

Mr. MILLER. I recall nothing of the kind.

Mr. ARENS. I lay before you a photostatic copy of a document called Far East Spotlight for Friendship with New China, calling for friendship cargoes to New China, a launching dinner; and the sponsors of the dinner or those who sent personal messages of support included one Arthur Miller. I ask you if that refreshes your recollection [handed].

Mr. MILLER. This was, as it says here, "The China Welfare Appeal, a new relief drive to aid the Chinese people."

It was headed up by Madame Sun Yat-sen, widow of the founder of the Chinese Republic. My recollection of this would be that, on the basis of its relief which is not what I was talking about a moment ago at all, I would have supported it.

Mr. VELDE. What was the date of that?

Mr. ARENS. May 1949.

Did you support the China Welfare Appeal in the propaganda statement which they issued over the country:

Not only has the export of medical supplies from the United States been made subject to burdensome restrictions and procedures, but a virtual embargo has been placed on all shipments to China. The history of such restrictions shows that they did not begin with recent events in Korea.

I lay before you a photostatic copy of a letter on the letterhead of the China Welfare Appeal, and ask you whether or not, although your name appears here on the letterhead, you lent yourself knowingly to that cause and movement?

Mr. MILLER. You say my name does appear on the letter?

Mr. ARENS. This is the reverse page. It had to be photostated on both sides. The name of Arthur Miller appears there [handed].

Mr. MILLER. It is the China Welfare Appeal. As I recall, there was a need for medicines and penicillin, et cetera, which they weren't permitted to buy or something of that sort. I did support this.

Mr. ARENS. Did you also support the Joint Anti-Fascist Refugee Committee in the Spanish Refugee Appeal for which funds were solicited and transmitted to the Communists in Spain in 1949, and again in 1951?

Mr. MILLER. This is not in mitigation of these other things. I think the Spanish case is quite different, however. I have always been, since my student days, in the thirties, a partisan of Republican Spain. I am quite proud of it. I am not at all ashamed. I think a democracy was destroyed there. I would have carried through pretty generally my feelings of the thirties into the forties, as regards the Spanish Civil War refugees.

Mr. ARENS. Now, do you recall, in view of your observations respecting your plays being played abroad, coauthoring a play Listen My Children?

Mr. MILLER. Coauthoring a play?

Mr. ARENS. Yes, sir.

Mr. MILLER. No, I don't.

Mr. ARENS. Or do you recall authoring a play Listen My Children?

Mr. MILLER. What year would this have been?

Mr. ARENS. 1939.

Mr. MILLER. 1939?

Mr. ARENS. Yes, sir; with Norman Rosten?

Mr. MILLER. Oh, yes. Yes, I do.

Mr. ARENS. I lay before you now an original document in handwriting which we procured from the Library of Congress as the document there for the purpose of copyright. Could you tell us whether or not that is your handwriting, or Rosten's handwriting of this play which was there for copyrighting?

Mr. MILLER. It isn't mine.

Mr. ARENS. Did you coauthor with Rosten this play?

Mr. MILLER. I did.

Mr. ARENS. I would like to read you part of this play.

Mr. MILLER. I beg your pardon, sir.

Mr. ARENS. Yes?

Mr. MILLER. My recollection is clear now. I wrote a sketch about when I had been on relief in—well, when I got out of college. It was not long after.

Mr. DOYLE. What year was that that you got out of college?

Mr. MILLER. I graduated in June of 1938.

Mr. DOYLE. 1938?

Mr. MILLER. And I subsequently got on to the Federal writers, Federal theater project, and I wrote a farcical sort of a play about standing and waiting in a relief office, and that was, I think, what you are referring to. It was a one-act sketch which was later amplified. Nothing ever came of it, I am glad to say.

Mr. ARENS. Did you know that Norman Rosten was a Communist when you collaborated with him in the play Listen My Children?

Mr. MILLER. I wouldn't know anything about that.

Mr. ARENS. In 1936 he was publicly identified in the Daily Worker as a member of the Young Communist League.

Mr. MILLER. I wouldn't make a comment about that. I wouldn't know anything about it. I would be inclined strongly to say that it wasn't true.

Mr. ARENS. Let me lay before you a photostatic copy of the Communist Daily Worker of December 10, 1936, a public proclamation.

Mr. MILLER. I can't prove as to whether he was a Communist or not. It is impossible.

Mr. ARENS. I asked if you knew. If you do not know, that is the answer.

Mr. MILLER. By the way, I would add that that doesn't mean he was a Communist, does it?

Mr. ARENS. If he was a member of the Young Communist League?

Mr. MILLER. I am just asking a question.

Mr. ARENS. Did Listen My Children pertain to congressional investigating committees?

Mr. MILLER. If it did, then it is not what I am talking about. What I am talking about is another thing. This is a long time ago.

Mr. ARENS. Let me read:

Curtain slowly opens. The committee members are engaged in activity of an extraordinary variety, amid an equally extraordinary environment. Profuse flag bunting over the walls. There are several huge clocks ticking ominously. Also a metronome which is continually being adjusted for tempo change.

Secretary, at desk, pounds typewriter and, as alarm clock rings, she feeds the committeemen spoonful of castor oil. ***

In center of room, in rocker, sits a man. He is securely tied to chair, with a gag in his mouth and a bandage tied over his mouth. Water, coming from a pipe near ceiling, trickles on his head. Nearby is a charcoal stove holding branding irons. Two bloodhounds are tied in the corner of room.

Was that the play that you coauthored with Norman Rosten? Is that an accurate description of the play Listen My Children?

Mr. MILLER. I would say that I find it amusing. I don't see what is so horrific about that. I think it is a farce. I don't think anybody would take it seriously that way.

The CHAIRMAN. It is a little corny.

Mr. MILLER. I was not, by the way, the author of that scene. I am saying this out of a kind of professional jealousy of my own writing.

Mr. ARENS. Was it likewise just a little farce, your play, *You're Next*, by Arthur Miller, attacking the House Committee on Un-American Activities?

Mr. MILLER. No, that would have been quite serious.

Mr. ARENS. Did you know that the play, *You're Next*, by Arthur Miller, attacking congressional investigating committees, was reproduced by the Communist Party?

Mr. MILLER. No, I have no knowledge of it.

Mr. ARENS. I lay before you now a photostatic copy of the Communist Daily Worker of New York, Wednesday, June 18, 1947:

New York State Communist Party Building Congress—program—including *You're Next*, by Arthur Miller.

Mr. MILLER. Sir, you can't tax me with that.

Mr. ARENS. I ask you only whether or not you knew it, sir.

Mr. MILLER. I did not know it, and I say that you can't tax me with that. My plays have gone all over the world by all kinds of people, including the Spanish Government theater, where *Death of a Salesman* has run longer than any modern play in history. I take no more responsibility for who plays my plays than General Motors can take for who rides in their Chevrolets. It is impossible. You can't do that. I am not a policeman to say you can do this or not. Plays are produced and people produce them.

Mr. SCHERER. Before the Communist Party would use such a play it had to follow the Communist line?

Mr. MILLER. Nothing in my life was ever written to follow a line. I will go into that if you will.

Mr. ARENS. In view of your observations respecting your plays abroad, did you donate the rights of your play *All My Sons* to the Polish League in Poland?

Mr. MILLER. Polish League of what?

Mr. ARENS. League of Women in Poland, in 1947, September.

Mr. MILLER. I don't remember it, but I will tell you this: you can't get any money out of Poland and you can't get any money out of Russia and you can't get any money out of any place on the other side of the Iron Curtain. It is quite possible—I have no recollection of it at all—that they simply took the royalties that were probably not even there and applied them to this fund. I have no communication, to my knowledge, from anybody.

Mr. DOYLE. May I ask whether there is an identification of that, that the Polish League of Women is a Communist organization?

Mr. ARENS. Yes, sir; a branch of the Congress of American Women.¹ I should like, if you please, sir, if it would refresh your recollection, to read you an article appearing in the Daily Worker, September 29, 1947.

Mr. MILLER. You say the Congress of American Women. Yes, they asked me to do this on the basis of a relief drive that they were having for the Polish children.

Mr. ARENS. Then you have a recollection of donating the royalties of your play?

Mr. MILLER. I just said so, sir.

Mr. ARENS. Now, I believe you alluded a few moments ago to your play *The Crucible*, is that correct?

Mr. MILLER. *Crucible*.

¹ (The Polish League of Women and the Congress of American Women are in a fraternal relationship with the same international Communist organization, the Women's International Democratic Federation. The Polish League of Women is not a branch of the Congress of American Women.)

Mr. ARENS. Yes, sir.

Mr. MILLER. Yes.

Mr. ARENS. Are you cognizant of the fact that your play the *Crucible* with respect to witch hunts in 1692 was the case history of a series of articles in the Communist press drawing parallels to the investigations of Communists and other subversives by congressional committees?

Mr. MILLER. I think that was true in more than the Communist press. I think it was true in the non-Communist press, too. The comparison is inevitable, sir.

Mr. ARENS. What have been your activities or associations with Howard Fast?

Mr. MILLER. In what respect?

Mr. ARENS. Do you know him?

Mr. MILLER. I have met him.

Mr. ARENS. How long do you know him?

Mr. MILLER. I don't know how to describe that.

Mr. ARENS. Well, have you collaborated with him?

Mr. MILLER. Collaborated with him?

Mr. ARENS. Yes, sir.

Mr. MILLER. No, sir.

Mr. ARENS. Are you cognizant of the promotion of yourself by Howard Fast?

Mr. MILLER. No.

Mr. ARENS. I lay before you a copy of the *Communist Daily Worker* of November 8, 1955, "I Propose Arthur Miller as the American Dramatist of the Day, by Howard Fast." Were you cognizant of his promotion of yourself as the dramatist of the day?

Mr. MILLER. Let me say one thing about that sort of thing. The appreciation of dramatic values by people who have behind them an attachment, a remorseless attachment to the political line, is of no import to me. I don't believe it when they are against me and I don't believe it when they are for me. In this case I take no compliment out of this for one simple reason. That is, it happens that the *Crucible*, which, by the way, I began thinking about in 1938 and which they now say was written about the Rosenbergs about whom I had not heard when I started to write this play, it happened that the line in that play coincided at that moment. I have another example of that to which I will go into. This is not literary or dramatic criticism. This is a political article. You are taxing me with what he says. Now, the next play, as with *Death of a Salesman* which they called "A decadent piece of trash," in the *Daily Worker*, they were against it. I am not going to guide myself by what they think or don't think. From time to time I am sure Howard Fast or similar critics of plays have praised one or another of a hundred writers, all of whom you can't tax with that criticism. It isn't fair.

Mr. ARENS. Now, your present application for a passport pending in the Department of State is for the purpose of traveling to England, is that correct?

Mr. MILLER. To England, yes.

Mr. ARENS. What is the objective?

Mr. MILLER. The objective is double. I have a production which is in the talking stage in England of *A View From the Bridge*, and I will be there to be with the woman who will then be my wife. That is my aim.

Mr. ARENS. Have you had difficulty in connection with your play *A View From the Bridge* in its presentation in England?

Mr. MILLER. It has not got that far. I have had the censor in England giving us a little trouble, yes, but that is general. A lot of American plays have that difficulty.

Mr. ARENS. Do you know a person by the name of Sue Warren?

Mr. MILLER. I couldn't recall at this moment.

Mr. ARENS. Do you know or have you known a person by the name of Arnaud D'Usseau, D-'U-s-s-e-a-u?

Mr. MILLER. I have met him.

Mr. ARENS. What has been the nature of your activity in connection with Arnaud D'Usseau?

Mr. MILLER. Just what is the point?

Mr. ARENS. Have you been in any Communist Party sessions with Arnaud D'Usseau?

Mr. MILLER. I was present at meetings of Communist Party writers in 1947, about 5 or 6 meetings.

Mr. ARENS. Where were those meetings held?

Mr. MILLER. They were held in someone's apartment. I don't know whose it was.

Mr. ARENS. Were those closed party meetings?

Mr. MILLER. I wouldn't be able to tell you that.

Mr. ARENS. Was anyone there who, to your knowledge, was not a Communist?

Mr. MILLER. I wouldn't know that.

Mr. ARENS. Have you ever made application for membership in the Communist Party?

Mr. MILLER. In 1939 I believe it was or in 1940 I went to attend a Marxist study course in the vacant store open to the street in my neighborhood in Brooklyn. I there signed some form or another.

Mr. ARENS. That was an application for membership in the Communist Party, was it not?

Mr. MILLER. I would not say that. I am here to tell you what I know.

Mr. ARENS. Tell us what you know.

Mr. MILLER. This is now 16 years ago. That is half a lifetime away. I don't recall and I haven't been able to recall and, if I could, I would tell you the exact nature of that application. I understood then that this was to be, as I have said, a study course. I was there for about 3 or 4 times perhaps. It was of no interest to me and I didn't return.

Mr. ARENS. Who invited you to attend?

Mr. MILLER. I wouldn't remember. It was a long time ago.

Mr. ARENS. Tell us, if you please, sir, about these meetings with the Communist Party writers which you said you attended in New York City.

Mr. MILLER. I was by then a well-known writer. I had written *All My Sons*, and a novel *Focus*, and a book of Reportage about Ernie

Pyle and my work with him on attempting to make the picture *The Story of GI Joe*. I did the research for that, so that by that time I was quite well known, and I attended these meetings in order to locate my ideas in relation to Marxism because I had been assailed for years by all kinds of interpretations of what communism was, what Marxism was, and I went there to discover where I stood finally and completely, and I listened and said very little, I think, the 4 or 5 times.

Mr. ARENS. Could I just interject this question so that we have it in the proper chronology? What occasioned your presence? Who invited you there?

Mr. MILLER. I couldn't tell you. I don't know.

Mr. ARENS. Can you tell us who was there when you walked into the room?

Mr. MILLER. Mr. Chairman, I understand the philosophy behind this question and I want you to understand mine.

When I say this I want you to understand that I am not protecting the Communists or the Communist Party. I am trying to and I will protect my sense of myself. I could not use the name of another person and bring trouble on him. These were writers, poets, as far as I could see, and the life of a writer, despite what it sometimes seems, is pretty tough. I wouldn't make it any tougher for anybody. I ask you not to ask me that question.

(The witness confers with his counsel.)

I will tell you anything about myself, as I have.

Mr. ARENS. These were Communist Party meetings; were they not?

Mr. MILLER. I will be perfectly frank with you in anything relating to my activities. I take the responsibility for everything I have ever done, but I cannot take responsibility for another human being.

Mr. ARENS. This record shows, does it not, Mr. Miller, that these were Communist Party meetings?

(The witness confers with his counsel.)

Mr. ARENS. Is that correct?

Mr. MILLER. I understood them to be Communist writers who were meeting regularly.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to who it was that he saw at these meetings.

Mr. JACKSON. May I say that moral scruples, however laudable, do not constitute legal reason for refusing to answer the question. I certainly endorse the request for direction.

The CHAIRMAN. You are directed to answer the question, Mr. Miller.

Mr. MILLER. May I confer with my attorney for a moment?

(The witness confers with his counsel.)

Mr. MILLER. Mr. Walter, could I ask you to postpone this question until the testimony is completed and you can gage for yourself?

The CHAIRMAN. Of course, you can do that, but I understand this is about the end of the hearing.

Mr. ARENS. This is about the end of the hearing. We have only a few more questions. The record reflects that this witness has identified these meetings as the meetings of the Communist writers.

In the jurisdiction of this committee he has been requested to tell this committee who were in attendance at these meetings.

Mr. DOYLE. If I understand the record, the record shows that he answered that he did not know whether there were any non-Communists there, or not. I think the record so shows.

Mr. MILLER. I would like to add, sir, to complete this picture, that I decided in the course of these meetings that I had finally to find out what my views really were in relation to theirs, and I decided that I would write a paper in which, for the first time in my life, I would set forth my views on art, on the relation of art to politics, on the relation of the artist to politics, which are subjects that are very important to me, and I did so and I read this paper to the group and I discovered, as I read it and certainly by the time I had finished with it, that I had no real basis in common either philosophically or, most important to me, as a dramatist. I can't make it too weighty a thing to tell you that the most important thing to me in the world is my work, and I was resolved that, if I found that I was in fact a Marxist, I would declare it; and that, if I did not, I would not declare it and I would say that I was not; and I wrote a paper and I would like to give you the brunt of it so that you may know me.

The CHAIRMAN. Have you got the paper?

Mr. MILLER. I am sorry, sir. I think it is the best essay I ever wrote, and I have never been able to find it in the last 2 or 3 years. I wish I could. I would publish it, as I recall it, because it meant so much to me. It was this: That great art like science attempts to see the present remorselessly and truthfully; that, if Marxism is what it claims to be, a science of society, that it must be devoted to the objective facts more than all the philosophies that it attacks as being untruthful; therefore, the first job of a Marxist writer is to tell the truth, and, if the truth is opposed to what he thinks it ought to be, he must still tell it because that is the stretching and the straining that every science and every art that is worth its salt must go through.

I found that there was a dumb silence because it seemed not only that it was non-Marxist, which it was, but that it was a perfectly idealistic position, namely, that first of all the artist is capable of seeing the facts and, secondly, what are you going to do when you see the facts and they are really opposed to the line? The real Marxist writer has to turn those facts around to fit that line. I could never do that. I have not done it.

I want to raise another point here. I wrote a play called *All My Sons* which was attacked as a Communist play. This is an example of something you raised just a little while earlier about the use of my play in the Communist meeting, of a different sketch that I had written. I started that play when the war was on. The Communist line during the war was that capitalists were the salt of the earth just like workers, that there would never be a strike again, that we were going to go hand in hand down the road in the future. I wrote my play called *All My Sons* in the midst of this period, and you probably aren't familiar with it—maybe you are—that the story is the story of an airplane manufacturer, an airplane parts manufacturer who sends out faulty parts to the Air Force.

Therefore, what happened was that the war ended before I could get the play produced. The play was produced. The Communist line changed back to an attack on capitalists and here I am being praised by the Communist press as having written a perfectly fine Communist play. Had the play opened when it was supposed to have

opened; that is, if I could have sold it that fast, it would have been attacked as an anti-Communist play.

The same thing has happened with Salesman. Death of a Salesman in New York was condemned by the Communist press.

The CHAIRMAN. Mr. Miller, what has this to do—

Mr. MILLER. I am trying to elucidate my position on the relation of art.

Mr. ARENS. Was Arnaud D'Usseau chairman?

Mr. SCHERER. Just a minute. Mr. Chairman, may I interrupt?

The CHAIRMAN. Yes.

Mr. SCHERER. There is a question before the witness; namely, to give the names of those individuals who were present at this Communist Party meeting of Communist writers. There is a direction on the part of the chairman to answer that question.

Now, so that the record may be clear, I think we should say to the witness—Witness, would you listen?

Mr. MILLER. Yes.

Mr. SCHERER. We do not accept the reasons you gave for refusing to answer the question and that it is the opinion of the committee that, if you do not answer the question, that you are placing yourself in contempt.

(The witness confers with his counsel.)

Mr. SCHERER. That is an admonition that this committee must give you in compliance with the decisions of the Supreme Court.

Now, Mr. Chairman, I ask that you again direct the witness to answer the question.

The CHAIRMAN. He has been directed to answer the question and he gave us an answer that we just do not accept.

Mr. ARENS. Was Arnaud D'Usseau chairman of this meeting of Communist Party writers which took place in 1947 at which you were in attendance?

Mr. MILLER. All I can say, sir, is that my conscience will not permit me to use the name of another person.

(The witness confers with his counsel.)

Mr. MILLER. And that my counsel advises me that there is no relevance between this question and the question of whether I should have a passport or there should be passport legislation in 1956.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not Arnaud D'Usseau—A-r-n-a-u-d. The last name is D-'U-s-s-e-a-u—was chairman of the meeting of the Communist Party writers in New York City in 1947 at which you were in attendance.

The CHAIRMAN. You are directed to answer the question.

Mr. MILLER. I have given you my answer, sir.

Mr. ARENS. I ask you now, sir, whether or not Sue Warren was in attendance at this meeting of the Communist Party writers held in New York City in 1947?

Mr. MILLER. I have given you my answer.

Mr. VELDE. Do you know Sue Warren?

Mr. JACKSON. Did you decline to answer the question?

(The witness confers with his counsel.)

Mr. MILLER. I tell you, sir, that I have given my answer.

Mr. JACKSON. I am not satisfied with that. That is entirely too vague. What I want is a positive statement as to whether or not you will answer that question.

(The witness confers with his counsel.)

Mr. MILLER. Sir, I believe I have given you the answer that I must give.

The CHAIRMAN. Let us get that straight. As I understand, you decline to answer the question for the reason that you gave when you declined to answer the first question, or at least when you gave an answer that was not deemed acceptable; is that it?

Mr. MILLER. That is correct.

Mr. ARENS. Were you proposed for membership in the Stuyvesant Branch, 12th Assembly District, of the Communist Party by Sue Warren?

Mr. MILLER. To my knowledge—

Mr. ARENS. In 1943?

Mr. MILLER. To my knowledge, I would not know that. I would have no knowledge of it.

Mr. ARENS. Have you made application for membership in the Communist Party?

Mr. MILLER. I answered that question.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you did make application for membership in the Communist Party and that the number of your application is 23345.

Mr. MILLER. I would not affirm that. I have no memory of such a thing.

Mr. ARENS. Do you deny it?

Mr. MILLER. I would deny it.

Mr. ARENS. Mr. Chairman, that will conclude the staff interrogation of this witness.

The CHAIRMAN. Are there any questions?

Mr. VELDE. I would just like one question. We mentioned Norman Rosten a while ago, with whom you collaborated in a play in 1938, I believe it was. Do you know where he is today?

Mr. MILLER. He is in New York City.

Mr. VELDE. Do you have any contacts with him at the present time?

Mr. MILLER. Yes.

Mr. VELDE. Are you engaged in any business with him?

Mr. MILLER. No; he is a writer. I know him.

Mr. VELDE. That is all.

(Representative Donald L. Jackson withdrew from the hearing room at this point.)

Mr. DOYLE. I have one question.

The CHAIRMAN. Mr. Doyle.

Mr. DOYLE. I have no questions but I want to make this brief observation. With your recognized ability in your specialized field, based on your testimony here that I have heard, let me ask you one question. Why do you not direct some of that magnificent ability you have to fighting against well-known Communist subversive conspiracies in our country and in the world? Why do you not direct your magnificent talents to that, in part? I mean more positively?

Mr. MILLER. Yes; I understand what you mean. I think it would

be a disaster and a calamity if the Communist Party ever took over this country. That is an opinion that has come to me not out of the blue sky but out of long thought. I tell you further that I have been trying for years now. I am not a fictionalist. I reflect what my heart tells me from the society around me. We are living in a time when there is great uncertainty in this country. It is not a Communist idea. You just pick up a book review section and you will see everybody selling books on peace of mind because there isn't any.

I am trying to delve to the bottom of this and come up with a positive answer, and I have had to go to hell to meet the devil. You can't know what the worst is until you have seen the worst, and it is not for me to make easy answers and to come forth before the American people and tell them everything is all right when I look in their eyes and I see them troubled.

I believe in democracy. I believe it is the only way for myself and for anybody that I care about; it is the only way to live; but my criticism, such as it has been, is not to be confused with a hatred. I love this country, I think, as much as any man, and it is because I see things that I think traduce certainly the values that have been in this country that I speak. I would like more than anything else in the world to make positive my plays, and I intend to do so before I finish. It has to be on the basis of reality.

The CHAIRMAN. Mr. Miller, I trust that you will raise your important voice in what must be apparent to you now as a conspiracy. I am frank to admit that I participated in some myself. I remember making a rather sizable contribution to this Anti-Fascist Committee because they were moving Jews away from Germany, and I know that a great many other people did but, it is indeed significant that, in all of these causes in which you participated because of the persecution of the Jewish people you never moved toward the assistance of people who were being persecuted by the Communists. That, I think, is very unfortunate.

Mr. MILLER. I think it is not only unfortunate. It was a great error.

Mr. KEARNEY. Do you think—

Mr. MILLER. Let me finish this.

Mr. KEARNEY. Pardon me.

Mr. MILLER. In the face of an overwhelming ideal it has been the common experience of mankind, both good people and bad people, that detail goes by the board and fades into the walls. I believe now in facts. I look at life as to see what is happening, and I have no line. I have no preconception. I am devoted to what is going on. The hardest think to do is to tell what is going on. It is easy to talk about the past and future, but nobody knows what is happening now.

Mr. KEARNEY. Do I get from your answer now that you consider yourself more or less of a dupe in joining these Communist organizations?

Mr. MILLER. I wouldn't say so because I was an adult. I wasn't a child. I was looking for the world that would be perfect. I think it necessary that I do that if I were to develop myself as a writer. I am not ashamed of this. I accept my life. That is what I have done. I learned a great deal.

The CHAIRMAN. You have learned a great deal and made a greater contribution to what we think you now stand for than you realize, because, by the errors that you committed, you are serving a very loud note of warning to a lot of other people who might fall into what you did, quite obviously.

The committee is now adjourned.

(Whereupon, at 12:30 p. m., June 21, 1956, the hearing was adjourned, subject to the call of the Chair, there being present at time of recess Representatives Walter, Doyle, Willis, Velde, Kearney, and Scherer.)

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